
MINUTES OF THE PROCEEDINGS

OF

THE COUNCIL

**OF THE
CITY OF PITTSBURGH
FOR THE YEAR
1992**

VOLUME 126-A

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1612	Conturo, Mary	Submitting the quarterly report of settlement of claims, \$750.00 for the Third Quarter of 1992, payable from Code Acct. 1081, Petty Claims. Also a quarterly report of settlement of claims in excess of \$750.00 for the Third Quarter of 1992	1814
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442	Masloff, Sophie	Appointing Dan Cohen to Stadium Authority Board, term to expire January 1993	389
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1616	Masloff, Sophie	Informing City Council of the appointment of Dan Cohen to the Stadium Authority, term to expire January 1, 1998	1815
1616	Masloff, Sophie	Informing City Council of the appointment of John Sciullo to the URA, term to expire December 2, 1997	1815
1617	Masloff, Sophie	Returning her veto Bill No. 1322 - transferring \$35,000 from Code Acct. 10, Accounts Payable prior years, and from Code Acct. 1545, Street Lighting Contract, Public Works to Code Acct. 1001-1, Misc. Services, Office of the City Clerk	1815
1742	Masloff, Sophie	Returning her veto Council Bill No. 1651 - Ordinance Title Five - Residential Parking Permit Penalty	1937
1763	Masloff, Sophie	Reappointing Moira Harrington as City Magistrate for a term to expire January, 1997	2002
1764	Masloff, Sophie	Reappointing Louis Coles as City Magistrate for a term to expire January 1997	2002

COMMUNICATIONS

MISCELLANEOUS

BILL NO.	SPEAKER	SUBJECT	PAGE
173	Perry, Michael	Submitting the Fourth Quarterly Travel Report for 1991 from various departments	127
742	Perry, Michael	Submitting the first quarterly travel report for 1992 from various departments	684
1127	Perry, Michael	Submitting the Second Quarter Travel reports from various departments	1199
1515	Perry, Michael	Submitting Third Quarter Travel reports from various departments	1687
135	Prop. Asses. Board	Submitting its total assessments of land and building year 1992	95
1213	Swanson, D'Ann	Submitting a report of deposits and the market value of securities pledged as collateral by City Depositories, June 30, 1992	1284
1214	Swanson, D'Ann	Submitting a report of deposits and the market value of securities pledged as collateral by City Depositories as of July, 31, 1992	1285
1223	Wagner, Jack	Appointing Harry Readshaw, Debbie Meyer and Davina Murray as Members of the Reapportionment Commission for the School District of Pittsburgh	1304
460	Washington, David	Submitting a listing of Housing Authority employees	412
136	Whitmer, George	Submitting a report of URA "Position and Salary Report", December 1991	96
1130	Whitmer, George	Submitting the Position and Salary Report for URA as of June 30, 1992	1200

COMMUNICATIONS

TRAVEL REQUEST

HUMAN RELATIONS COMMISSION

757	Harris, Sofrania R.	Conrad Johnson, attorney and member of law firm to attend the U.S. Dept. of Housing and Urban Development workshop for substantial equivalency sponsored by the State of Delaware, Division of Human Relations on April 30, 1992, \$760.00	739
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COMMUNICATIONS

TRAVEL REQUEST

PERSONNEL & CIVIL SERVICE COMMISSION

BILL NO.	SPEAKER	SUBJECT	PAGE
310	Smith, Melanie	John Turyan to attend the 1992 National PIC Chairs Forum in Washington D.C., \$1,171.00	269
1157	Smith, Melanie	Requesting approval for Barbara Brown, Maureen Carr and Ozell Newsome to attend the JTPA Alumni Week Award Ceremony in Harrisburg, PA on August 27, 1992 cost not to exceed \$1,521.00	1230
1205	Smith, Melanie	Requesting approval for John Turyan, Chair Pittsburgh Private Industry Council to attend the Board of Directors Meeting on the National Association of Private Industry Councils in Miami Beach, Florida, \$700.00	1283
1493	Smith, Melanie	Requesting approval for various Pittsburgh Private Industry Council (PIC) members to attend planning/training seminar in Cooksburg, \$1,411.64	1684
611	Turyan, John	To attend the Board of Directors meeting of National Association of Private Industry Councils on April 11-12, 1992 in New Orleans, \$794.00	551
927	Turyan, John	Non-City employee of Pittsburgh Private Industry Council to attend the Board of Directors meeting of the National Association of Private Industry Councils in Washington D.C. June 11 - 14, 1992, \$975.00	975

MOTIONS

ADOPT

Ferlo	Rules of Proceedings of Council	18
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AMEND

Cohen	Bill No. 1188 - Ordinance on Title II, Fiscal Article III, Depositories adding Bank Rating Procedure	1378
Cohen	Bill No. 520 - referendum regarding Appointment and Term of Magistrates	638

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AMEND

SPEAKER	SUBJECT	PAGE
Cohen	Bill No. 9 - Conditional Use for Highland Limited Partnership	383
Cohen	Western Pennsylvania School for Blind Children	480
Darkins	Bill No. 354 - encroachment for Teamsters Local 250	377
Ferlo	Bill No. 1080 - billboard legislation on creation of the trust fund and raising fees with inspection of billboards	1465
Ferlo	Bill No. 113 - Cooperation Agreement, \$765,000, Penn-Liberty Cultural	276
Ferlo	Bill No. 1248 - reapportionment legislation	1653
Ferlo	Bill No. 1695 - Ordinance Title Two, Fiscal, Article I, Administration, Chapter 201, Tax Collections	1944
Ferlo	Bill No. 279 - Animal Control Ordinance	1091
Ferlo	Bill No. 279 - Ordinance Title Six - City regulations on dogs, cats and other animals	527
Ferlo	Bill No. 900 - Lease Agreement with Save the Aviary	1017
Ferlo	Bill No. 92 - Lease Agreement Senior Citizen Facilities and/or Management Agreement, \$182,364.00	339
Ferlo	The reorganization of the Fire Bureau	1208
Ferlo, Jim	Bill No. 106 - An Ordinance zoning districts Downtown Riverfront Districts	657
Madoff	Bill No. 1030 - warrant for \$10,000.00 for various media sources in connection for advertisement for police recruitment	1136
Madoff	Bill No. 1491 - Agreement with Consultant conducting a comprehensive review of all debt issued in Allegheny County, \$35,000.00	1727
Madoff	Bill No. 315 - Amending No. 1295/1991 fixing the number of officers	375
Milliones	Bill Nos. 925-926 - Implementation of Pittsburgh Partnership to become effective the day the Mayor signs it	1014
O'Connor	Bill No. 11 - Historic Structure for Oakland Civic Historic District	476
O'Connor	Bill No. 34 - Agreement for purchase of fuel for City owned vehicles	150
O'Connor	Bill No. 448 - Ordinance amending No. 44, Title Four, Public Places and Property, decreasing No. 10 Dumpster	615
O'Connor	Bill No. 535 - Title Five, Enforcement and Control, warning signs on parking meters	618

MOTIONS

	<u>AMEND</u>	PAGE
SPEAKER	SUBJECT	
Onorato	Bill No. 1307 - Ordinance amending Title Four, Public Places Chapter 452 - Acquisitions	1502
Onorato	Bill No. 1467 - lease from Harvey Adams and Associates, \$1.00	1752
Onorato	Bill No. 900 - Lease Agreement with Save the Aviary	1020
Ricciardi	Bill No. 1184 - Agreement for Weed and Seed Program	1297
Ricciardi	Bill No. 1651 by adding Section 3. This ordinance shall become effective January 1, 1993	1875
Ricciardi	Bill No. 401 - Agreement County forensic laboratory services	389

APPEAR BEFORE COUNCIL

Ferlo	Appointments to City Magistrates to appear before Council before getting approved	496
Ferlo	Bill Nos. 1001-1003 - appointing June Bowers, John Doherty and Thelma Lovette to City Planning Commission, terms to expire 1994, 1998 and 1998, appear before Council	1059

EFFECTIVE DATE OF LEGISLATION

Cohen	Bill No. 342 - Lead Prevention Policy Commission Trust Fund, become effective the day the Mayor signs it	376
Cohen	Bill No. 458 - An Ordinance amending Title Nine Zoning, definition for "theater" become effective the day the Mayor signs it	661
Cohen	Bill No. 8 - Ordinance Title Nne, Johnston Avenue and Broadview Drive, law the day the Mayor signs it	275
Darkins	Bill No. 923 - agreement for Pittsburgh Recovery Center, \$4,000.00, to become effective the day the Mayor signs it	1058
Darkins	Bill Nos. 915 - 918 to become effective the day the Mayor signs it	1017
Ferlo	Bill No. 1468 - Warrant in favor of Alan Brunner, become effective the day the Mayor signs it	1726
Ferlo	Bill No. 1083 - property sale Act No. 171 of 1984	1180
Ferlo	Bill No. 271 - Lease agreement Dinardo Limited, become effective the day the Mayor signs it	283
Ferlo	Bill No. 753 - warrant in favor of Anthony Aurretto, New Image Press, \$500.00 become effective the day the Mayor signs it	785
Ferlo	Bill No. 956 - Three Rivers Shakespeare Festival for \$15,000 become effective the day the Mayor signs it	1376

MOTIONS

EFFECTIVE DATE OF LEGISLATION

SPEAKER	SUBJECT	PAGE
Ferlo	Bill Nos. 1266 and 1264 - concrete being purchased to finish the Columbus Statue in time for the October 12th event become effective the day the Mayor signs it	1436
Ferlo	Various Block Grant allocations become effective the day the Mayor signs it	1185
Madoff	Bill No. 922 - encroachment for Le Pommier Restaurant, to become effective the day the Mayor signs it	1058
Milliones	Bill No. 616 - Warrant to Victoria Coppeler, \$22,500.00 effective the day the Mayor Signs it	640
Milliones	Bill No. 902 - Sewage Facilities for Allegheny City Square Plan of Lots become effective the day the Mayor signs it	999
Milliones	Bill Nos. 925-926 - Implementation of Pittsburgh Partnership to become effective the day the Mayor signs it	1015
O'Connor	Bill No. 93 - Lease with Neville Ice Arena, effective the Day the Mayor signs it	197
O'Connor	Bill No. 1074 - Ordinance Title Nine, Zoning Changing from Limited Industrial District to Commercial District, Penn Avenue, Meade Street, become effective the day the Mayor signs it	1474
O'Connor	Bill No. 842 - Sewage facilities Plan for Naomi's Garden Plan of Property, effective the day the Mayor signs it	912

HEARINGS SCHEDULED

Madoff	On problem of teenage vandals, teenage harassment, kids hanging on corners, drugs and perceived weapons at schools	391
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HELD LEGISLATION

Ferlo	Bill Nos. 1248, 1249 and 1376 - Reapportionment legislation	1573
Ferlo	Bill No. 519 - Appointing Louis C. Coles, to City Magistrate	604
Ferlo	Bill No. 527 - Amending No. 1294/1991 Making appropriations to pay expenses of conducting Public Business	555
Madoff	Bill No. 80 - Agreement for auditing services for JTPA	131
Madoff	Bill Nos. 527 & 528 - making appropriations to pay expenses	609

LETTERS SENT

Cohen	Director DiNardo concerning salary increase for the firefighters and not the paramedics as part of the Hazmat Team	1782
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LETTERS SENT

SPEAKER	SUBJECT	PAGE
Cohen	Mary Conturo regarding release form from Environmental Services regarding garbage pick-up	844
Cohen	State suggesting they put up the funding that they have committed to so the deadline will be met for the new jail	1305
Cohen	To Pennsylvania Congressional Delegation showing support for the auto theft bill	1221
Cohen	To Port Authority concerning the Access Program	33
Ferlo	Administration as to how they're circumventing the State prevailing wage law	1766
Ferlo	Administration asking them what authority they've created an additional Commander's position	361
Ferlo	Administration asking what disciplinary actions have been taken against Mr. Snead, Mr. Lemon and Mr. Wagner regarding scrap metals	1354
Ferlo	Administration for explanation why an officer is dispatched to Waterworks Mall on 24 hours basis	397
Ferlo	Administration to rescind order the order for EMS not to take patients outside the City to various hospital	362
Ferlo	City Cable to run ads throughout the day regarding elimination of services by the Port Authority	1268
Ferlo	From the Administration asking what is going on with the Overbrook Community Council's proposed lease	1959
Ferlo	Solicitor regarding the annual salt contract for City government	1961
Ferlo	To Administration asking to rescind the policy for not picking up the bulky items with freon	1158
Ferlo	To administration and business agent Mr. Ritter on their intent to privatize the refuse department	1032
Ferlo	To House and Senate Delegation in support of Senator Bodack's bill on the Food pantry	1118
Ferlo	To Mr. Robert Creo, Chairperson, National Association of Arbitrators Region 8	2004
Ferlo	To representatives of the esop group offering support in the formation of their business plan for the paper	1897
Ferlo	To the Mayor asking the status on the billboard legislation	1711
Ferlo	To the School Board President on concerns with the school systems security ideas	574
Madoff	Administration asking to explain the recycling contract rates	2025
Madoff	Administration requesting information on hiring more police officers	1311
Madoff	Administration to look at the possibility of a radio tower in Grandview Park	672

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LETTERS SENT

SPEAKER	SUBJECT	PAGE
Madoff	Alex Sciulli on progress made on Bill Nos. 492, 493 and 500 - Schenley Park Bridge	567
Madoff	Dom Cimino for update on properties in South Oakland in regards to the fires set	1066
Madoff	To Alex Sciulli concerning B contracts	1861
O'Connor	To EMS asking clarification on ambulance procedure when going to hospitals outside the City	577
Onorato	City Controller asking for all performance and fiscal audits performed on the School Board	2028
Onorato	Law Department regarding a police officer having relationship while on duty	1923
Onorato	To Senate in support of the PACE Program	959
Onorato	To the Administration asking to put people who are currently on the list to be a police officers in the academy	1760
Onorato	State Representatives supporting the crime bill	674
Ricciardi	Administration asking to appoint members to Stadium Authority, Auditorium Authority and Equipment Leasing Authority	306
Ricciardi	Administration concerning the reorganization of Fire Bureau	1208
Ricciardi	Administration for public policy using public monies in moving assets from one neighborhood to another	62
Ricciardi	Administration letting Council know plans for the Pittsburgh Public Theater	64
Ricciardi	Administration supporting increasing the DUI fee	200
Ricciardi	Allegheny County State Delegation supporting DUI fines	197
Ricciardi	Mary Conturo what the settlement was between the City and the few individuals who challenged the quota system	1793
Ricciardi	Mayor requesting a permanent person be assigned to Housing Court	1269
Ricciardi	To Justice Department reviewing the purchase of the paper	1895
Ricciardi	Board of Education concerning security guards needing bulletproof vests	1562
Ricciardi	To Senators and Congressman concerning their position on feeding the children	1117

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Cohen	Council briefing on the Park and Walk Program	202
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MISCELLANEOUS

SPEAKER	SUBJECT	PAGE
Cohen	Public Hearing on the bus stops in North Oakland	1157
Ferlo	Asking President Wagner to facilitate the formation of task force regarding the retirees trust fund for police, fire and municipal pensioners	634
Ferlo	Communicate to Mayor rejecting any notion of bid solicitation	1705
Ferlo	Engage the Government Officers Association to research the cost of bonds	1862
Ferlo	Hiring Mr. Paul D. Boas, Attorney for the legal counsel for Council	2018
Ferlo	Meeting with Council and Tom Foerster regarding Port Authority Strike	500
Ferlo	Mr. David Matter appear before Council prior to his appointment to the Water and Sewer Authority	621
Ferlo	Place Bill No. 524 - billboard legislation on the Agenda for Wednesday, September 2, 1992	1306
Ferlo	Public Hearing regarding termination of community planning function of the City Planning Department	1059
Madoff	Administrative feelings on not paying part-time employees lost wages	1060
Madoff	Join the Coalition and the Three Rivers Labor Management Council in call for a news paper to be published	1517
Madoff	Keeping film tapes on file for a month	390
Madoff	Not to pay Mr. Leahy \$1,300.00 for his arbitration in the case regarding a police officer having relations while on duty	1973
Madoff	Appropriate funds \$5,000 to hire a consultant to educate Council on bonds	955
O'Connor	President of Council for a subcommittee to the Finance Committee	1393
O'Connor	Support the local United Way and local people in Pittsburgh and Allegheny County	575
Onorato	Order a banner to put across the building congratulating the Penguins	962
Ricciardi	Bill No. 1470 - Ordinance amending Title VIII, Fire Prevention, be placed back on Wednesday's agenda	1720
Ricciardi	Delete term "anything of value" in Bill No. 53	96
Ricciardi	Mayor Masloff to inform Council of her plan with the Crime Lab closing	506
Ricciardi	Support Public Hearing on Downtown Pittsburgh additional housing	67

NOMINATIONS

Milliones	Jack Wagner for President of Council	5
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MOTIONS

NOMINATIONS

SPEAKER	SUBJECT	PAGE
Milliones	Dan Cohen for President Pro Tem	5

OVERRIDE VETO

Ferlo	Bill No. 1250 - Ordinance amending Title Six, Refuse Collection and Recycling of appliances	16
Ferlo	Bill No. 281 - Mayor's veto on rental of pumper ladder trucks	1327
Ricciardi	Mayor's veto on Bill No. 1651 - Ordinance for Title Five, Residential Permit Parking Program Penalty	

RECESS

Cohen	To meet after the Standing Committee Meeting on Wednesday to pass the 911 Legislation	226
Ferlo	Present meeting to recovene the next day to vote on the bond issue	1939
Ferlo	Present meeting to recovene the next day to vote on the reapportionment	1161
O'Connor	Legislative Session and reconvene immediately following the Standing Committee Meeting tomorrow, July 1, 1992 to vote on the Rehab Center	1608
O'connor	Meeting on January 21, 1992 to January 22, 1992	

RECOMMIT

Cohen	Bill No. 1318 - changing the name of an Unnamed Alley between Walnut and Howe Streets, 7th Ward	1653
Cohen	Bill No. 1494 - warrant for \$45,000.00 to Camella Ford	1118
Darkins	Bill No. 9 - Conditional Use Exception for South Highland Avenue	72
Ferlo	Bill No. 1176 - amending Home Rule Charter, to discuss the proposed plans of various departments for construction of the Woods Run Fire Station and Arlington Avenue Fire Station	1546
Ferlo	Bill No. 1413 - agreement with Consultant for professional services for Dept. of Public Works	1773
Ferlo	Bill No. 1422 - Bond for \$85,000.00	275
Ferlo	Bill No. 270 - contracts for sidewalk repair on Bigelow Blvd., \$5,000	1329
Ferlo	Bill No. 419 - Contracts to purchase roof top air conditioning for Public Safety, \$32,100.00	1695
Ferlo	Bill No. 732 - encroachment to Bell of Pennsylvania for insallation of ■ telephone cabinet on Kentucky Avenue, 7th Ward	1584
Ferlo	Bill No. 796 - Agreement for evaluation of Civil Service examinations	274
Ferlo	Bill No. 954 - warrant to 200 Ross Street	494
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		817
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RECOMMIT

SPEAKER	SUBJECT	PAGE
Ferlo	Resolution No.'s 31 and 32 equipment leasing authority	106
Madoff	Bill No. 1160 - contract to purchase a Brush Chipper for the Dept. of Parks and Recreation	1341
Madoff	Bill No. 1498 - agreement with Consultant to assist the City in acquiring state assistance to work with various agencies of government	1775
O'Connor	Bill Nos. 92 and 93 - Lease for Senior Citizen Facilities and Neville Ice Arena	163
Onorato	Bill No. 1194 - 911 legislation	1350
Ricciardi	Bill No. 1046 - Transfer \$12,730.00 from Code Account 1490 to Code Acct. 1043, Engineering and Construction to CIS	1178
Ricciardi	Bill No. 1467 - Lease of Harvey Adams and Associates for building at 2174 Centre Avenue for \$1.00	1700
Ricciardi	Bill No. 1574 - agreements for the Commission of an Artist or the Purchase of Art Work	1853
Ricciardi	Bill No. 223 - Agreement to purchase equipment for Overlook Improvements	294
Ricciardi	Bill No. 489 - No. 1415/1991 Capital Budget, Dept. of Engineering	565
Ricciardi	Bill No. 957 - An Ordinance Title Four, Public Places, Pole Banners permit fee \$50.00 to \$15.00	1151
Ricciardi	Bill No. 619 - Ordinance Title Six - Operative Alarm System	840
Ricciardi	Bill Nos. 1116 and 1117 - warrants for \$25,000.00 for wrongful death suits of Roger Peters and Kirk Huffman	1294

RECONSIDER

Ferlo	Bill No. 306 - Cooperation Agreement Lawrenceville Industrial Site Project	387
Ferlo	Bill No. 632 - Conditional Use procedure on Rehabilitation Institute	1153
Ricciardi	Bill No. 1046 - Transfer \$12,730.00	1191

TABLED

Ferlo	Bill No. 1322 - transfer of \$35,000.00 from Code Acct. 10, Accounts Payable to Code Account 1001 - 1, Dept. of Public Works	1505
Madoff	Bill No. 1635 - Title Five, Traffic, Enforcement and Control to redeploy Traffic Division officers from VASCAR enforcement	1956
Milliones	Bill No. 279 - Ordinance Title Six - City regulations on dogs, cats and other animals	529

MOTIONS

TELEWISE PUBLIC HEARING

BILL NO.	SUBJECT	PAGE
Cohen	Public Hearing on child care legislation	1060
Cohen	Public Hearing on the reapportionment	1475
Cohen	Public Hearing regarding City's decision to move six bus stops in North Oakland	1356
Ferlo	Issue on school security	569
Ferlo	Public Hearing on Oakland Historic Designation	390
Ferlo	Public Hearing on rezoning proposed Bloomfield residents	569
Ferlo	The meetings with the School Board	1602
Milliones	Hearing on the Reapportionment Advisory Committee for Thursday, May 28, 1992 at 7:00 p.m.	801
Milliones	Public Hearing on Animal Ordinance and Tow Truck Legislation	390

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Ferlo	Bill No. 279 - Animal Control Ordinance	1090
Ferlo	Bill No. 956 - \$15,000.00 to the Three Rivers Shakespeare Festival	1375
Madoff	Bill Nos. 1049, 1054, 1057 and 1086	1218
Milliones	Bill No. 796 - consultant relative to Civil Service	975
1179	Establishing the Advertising Sign Enforcement Trust Fund directing appropriate city officials to fulfill such guidelines	1260

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PITTSBURGH CODE HOME RULE CHARTER

63	Directing the Allegheny County Board of Elections a referendum making Publication and Effective Date of Legislation amending	32, 233
520	Allegheny County Board of Elections a referendum for Appointment and Term of Magistrates	520, 638

PITTSBURGH CODE MISCELLANEOUS

108	Establishing Federal Street Business Improvement District, undertaken cost for improvements providing a Cooperation Agreement with URA of Pittsburgh	91
183	Establishing Federal Street Business Improvement District	177, 430

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BILL NO.	SUBJECT	PAGE
53	Title One - Administrative, Article XI, Code of Conduct, Chapter 197.07 Statement of Affiliations	30, 96
62	Title One - Administrative, Chapter 180 - Personnel Administration, deleting positions in the City Clerk's Office	32, 54
70	Title One - Administrative Section 182 - Job Sharing	45, 185
128	Title One - Administrative, Article III, Organizations add Chapter 140, Department of Aging	91, 635
309	Title One - Administrative, Bid and Performance Bonds, Section 161.13 Bonds on small contracts	269, 388
322	Title One - Administrative, Organization, Adopt-A-Park Volunteer Program	271, 437
526	Title One - Administrative, Personnel, Subsection 197.04 City Boards Authorities Commissions or Courts	24
716	Title One - Administrative, Code of Conduct, Chapter 197.08, Amending No. 2/1991	633, 757
717	Title One - Administrative, Procedures Chapter 161, Contracts	634, 758
867	Title One - Administrative, Competitive Bidding	860
868	Title One - Administrative, Additional authorization for Employment in the Bureau of Police	860, 976
878	Title One - Administrative, Code of Conduct, removing the definition of consultant Chapter 197.08	862, 990
879	Title One - Administrative, Chapter 161 Contracts Section 161.16, require contractors to comply with Chapter 197.08	862, 990
1080	Title One - Administrative, Article VII, Procedures, Chapter 171 Fees "Contribution Rate for 911 System"	1126, 1161
1085	Title One - Administrative, Article XI, Personnel, adding Chapter 184, Bureau of Police	1126
1239	Title One - Administrative, Article VII, Procedures, Chapter 161 - Contracts, Subchapter 161.16 Required provisions in contracts	1321
1345	Title One - Administrative, Article XI, Personnel, Chapter 197, Code of Conduct	1495, 1574

PITTSBURGH CODE TITLE TWO - FISCAL

78	Title Two - Fiscal Chapter 211 Tax Collection suits	47, 128
79	Title Two - Fiscal, Chapter 211 Tax Collection Suits	47, 129

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PITTSBURGH CODE TITLE TWO - FISCAL

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1188	Title II, Fiscal Article III Depositories, Chapter 221 Contracts, subsection 221.03 Requirements	1261, 1378
1385	Title Two - Fiscal, Article VII, Business Related Taxes, Chapter 247, Instituion and Service Privilege Tax	1501,1837
1386	Title Two - "Fiscal", Article VII, "Business Related Taxes, Chapter 243, "Business Related Taxes"	1501, 1838
1387	Title Two - "Fiscal" Article I, "Administration", Chapter 201, "City Treasurer"	1501, 1688
1586	Title Two - Fiscal, Article VII, Business-Related Taxes, Chapter 256, Home Rule Realty Transfer Tax	1811
1587	Title Two - Fiscal, Article VII, Business Related Taxes, Chapter 243, Business Privilege Tax	1811
1588	Title Two - Fiscal - Article VII, Business-Related Taxes, Chapter 247, Instituion and Service Privilege Tax	1811
1589	Title Two - Fiscal, Article VII, Business Related Taxes, Chapter 253, parking Tax	1811
1590	Title Two - Fiscal, Article VII, Business-Related Taxes, Chapter 241, Amusement Tax	1812
1591	Title Two - Fiscal, Article VII, Business-Related Taxes, Chapter 245, Earned Income Tax	1812
1592	Title Two - Fiscal, Article VII, Business-Related Taxes, Chapter 249, Mercantile License Fees and Tax	1812
1593	Title Two - Fiscal Article VII, Business-Related Taxes, Chapter 251, Occupation Privilege Tax	1812
1594	Title Two - Fiscal, Article VII, Business-Related Taxes, Chapter 255, Realty Transfer Tax	1812
1595	Title Two - Fiscal, Article IX, Chapter 261, Personal Property Tax	1812
1596	Title Two - Fiscal, Article IX, "Property Taxes", Chapter 263, "Real Property Tax	1812, 1981
1695	Title Two - Fiscal, Article I, Administration, Chapter 201, City Treasurer	1915, 1944
1751	Title Two - Fiscal, changing Rate of Interest on certain delinquent Earned Income and Home Rule Taxes	1979, 2022

PITTSBURGH CODE TITLE FOUR - PUBLIC PLACES AND PROPERTY

308	Title Four - Public Places and Property, Council's Legislative Process for Real Estate Transactions	263, 374
432	Title Four - Public Places, Encroachments and Major Street Obstructions; Permit Required	370, 558

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PITTSBURGH CODE TITLE FOUR - PUBLIC PLACES AND PROPERTY

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448	Title Four - Public Places, new fees for Dumpsters	409, 615
840	Title Four - Public Places and Property, Prohibition of Glass in Parks	812, 954
957	Title Four - Public Places and Property, Article I, Streets and Sidewalks, Pole Banners	1012, 1151
1307	Title Four - Public Places and Properties, Chapter 452 -Acquisition	1410, 1501
1320	Title Four - Public Places and Property, Article XI, Chapter 477, Permits and Fees	1461, 1516

PITTSBURGH CODE TITLE FIVE - TRAFFIC

535	Title Five - Traffic, Warning Signs in Restricted Metered Parking Areas	522, 617
897	Title Five - Traffic, Article VII - General Parking Regulations Chapter 545 - Off-Street Parking	927, 1415
955	Title Nine - Zoning, Supplement Article Five, Child Day Care Facilities	1011
1265	Title Five - Traffic, Article III-Towing, Chapter 523 Tow Pounds, Section 523.05 Release of Vehicle	1373, 1415
1530	Title Five - of the Pittsburgh Code, Chapter 549, Residential Parking Permit Program Section 549.06(c) Recommendation of City Planning.	1716
1635	Title Five - Traffic, Article I - Administration, Chapter 503, Enforcement and Control	1833, 1956
1651	Title Five - Article Seven, Parking Chapter 549, Residential Permit Parking Program	1836, 1875
1741	Title Five - Article Seven, Parking, Chapter 549, Residential parking Permit Program	1937, 1941

PITTSBURGH CODE TITLE SIX - CONDUCT

279	Title Six - Conduct, Article III, Dogs and Other Animals	225,527,1997
619	Title Six - Conduct, Alarm Section Definitions	552, 840
740	Title Six - Conduct, Article I, Regulated Rights and Actions, adding Chapter 620, Loitering in the Aid of Drug Offenses	684
829	Title Six - Conduct - Article V, Discrimination, supplementing subsection 651.01 familial status handicap and disability	811, 864
830	Title Six - Conduct, Article V - Discrimination, Chapter 655, Executive Director, Enforcement Procedure	811, 864

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PITTSBURGH CODE TITLE SIX - CONDUCT

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831	Title Six - Conduct, Article V - Discrimination, Chapter 653 - Human Relation Commission	811, 864
832	Title Six - Conduct Article Five - Discrimination, Chapter 659 Unlawful Practices, deleting subsection 659.02	811, 832
1110	Title Six - Refuse Collection and Recycling	1197, 1234
1228	Title Six - Conduct, Article I, Regulated Rights and Actions, Chapter 619, Refuse Collection and Recycling	1319, 1385
1419	Title Six - Conduct, Article I, Regulated Rights and Actions adding Chapter 602, Curfew	1529

PITTSBURGH CODE TITLE SEVEN - BUSINESS LICENSING

171	Title Seven - Business Licensing, Service businesses by adding Chapter 767 "Tow Trucks"	126
1570	Title Seven - Business Licensing, Article V, Trade Occupations, Chapter 745, Stationary Engineers, Section 745.01, License Required	1771
1610	Title Seven - Business Licensing Article V - Trade Occupations add Chapter 761 "General Contractor Registration"	1814, 1888
1740	Title Seven - Business Licensing, Chapter 745 - Stationary Engineers, Sub-Chapter 745.01 - License Required	1937

PITTSBURGH CODE TITLE EIGHT - FIRE PREVENTION

1470	Title Eight - Fire Prevention Chapter 802, Cost Recovery, limiting fire loss	1572, 1782
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PITTSBURGH CODE TITLE NINE - ZONING

8	Title Nine, Zoning, Article III, Johnston Avenue Broadview Drive, 15th Ward	23, 274
106	Title Nine - Zoning, creating two additional zoning districts "C6-B" and "C6-C"	88, 657
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662	South Side Local Development Company, \$11,000.00	599, 713
663	Southwest Pittsburgh CDC, \$19,800.00	599, 713
586	Spring Garden Neighborhood Council, Inc., \$32,000.00	547, 667
116	Squirrel Hill Urban Coalition, \$2,000.00	90, 195
659	St. Clair Athletic Association, \$6,000.00	599, 713
845	St. Margaret Memorial Hospital	813, 955
364	Stanton Heights Recreation Association, \$5,000.00	323, 437
567	Steel Valley Authority, \$30,000.00	545, 664
1499	Stenographic reporting services in connection with public hearings, \$2,000.00	1685, 1776
1246	Supplemental Agreement - Consultant for professional services in connection with the Design of the Rehabilitation of the Schenley Park Bridge over Boundary Street, \$500,000.00	1322, 1439
691	Supplemental Agreement - Rehabilitation of Ft. Pitt Blvd., \$450,000.00, Amending No. 1327/1982	603, 717
38	Third party Credit Rating Agency, delinquent water customers	28, 107
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262	Three Rivers Employment Agency, \$5,000.00, Amending Bill No. 118, 1992	222, 338
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562	United Cerebral Palsy Association, \$23,000.00	544, 663
1007	United Cerebral Palsy Association, \$23,000.00, Amending No. 465/1992	1081, 1183
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794	Various agencies Pittsburgh Partnership Employment Program, \$200,000.00	776, 816
793	Various agencies, Neighborhood Employment Program, \$200,000.00	776, 816
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666	Vietnam Veterans' Leadership Program, \$17,000.00	600, 714
667	Vintage, Inc., \$12,000.00	600, 714
668	Washington Heights Ecumenical Food Bank, \$5,000.00	600, 714
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669	West End Elliott Joint Project, \$8,000.00	600, 715
1175	Western PA Police Athletic League, \$5,000.00	1259, 1343
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557	Western Pennsylvania Conservancy for Community Self-Help Beautification, \$78,000.00	544, 662
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95	Filing an application with Federal government in connection with National Institute of Justice, \$654,758.00	24, 105

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779	Application with U.S. Dept. of Housing for grant in connection with 1978 CDBG Program, \$2,029.89. Amending No. 1267/1977	551, 614
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782	Application U.S. Dept. of Housing and Urban Development for grant in connection with 1979 CDBG Program, Amending No. 1549/1978	774, 911
894	Submitting of Enterprise Zone Applications with Commonwealth of PA Dept. of Community Affairs	775, 911
979	Applications for grant in connection with Joint Jobs Initiative Program Single Point of Contact, \$2,517,119.00	927, 1016
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1001	Bowers, June Schulberg	Member of City Planning Commission, term to expire January 1994	1059
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442	Cohen, Dan	Member of Stadium Authority, term to expire January 1993	389
519	Coles, Louis C.	City Magistrate, term to expire January 1993	496, 779
750	DiNardo, Louis	Director of the Dept. of Public Safety	718, 740
942	DiNardo, Louis	Member of Comprehensive Municipal Pension Fund Board, term to expire February 1995	999
1002	Doherty, John F.	Member of City Planning Commission, term to expire January 1998	1059, 1127
860	Emenecker, Richard	Director of the Dept. of General Services, effective June 1, 1992	842
1616	Hayllar, Ben	Member of Public Auditorium Authority, term to expire December, 1995	1815
182	Krasik, Elaine	Member of Pittsburgh Cable Communications Advisory Committee, term to expire December 31, 1993	168
1258	Longo, Richard	Member of District No. 5 Pittsburgh Cable Communications Advisory Committee, expire December 31, 1993	1350
1003	Lovette, Thelma Williams	Member of the City Planning Commission, term to expire January 1998	1059
518	Machen, Donald	City Magistrate, term to expire January 1996	496, 778
707	Matter, David	Member of the Water and Sewer Authority Board, term to expire January 1995	621
1223	Meyer, Debbie	Member of the Reapportionment Commission for the School District of Pittsburgh	1304
1223	Murray, Davina	Member of the Reapportionment Commission for the School District of Pittsburgh	1304
1616	O'Connor, Bob	Member of the Public Auditorium Authority, term to Expire December 1996	1815
1223	Readshaw, Harry	Member of the Reapportionment Commission for the School District of Pittsburgh	1304

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1616	Cohen, Dan	Member of the Stadium Authority, term to expire January 1, 1998	1351
1764	Coles, Louis C.	City Magistrate for a term to expire January 1997	1815
942	Conturo, Mary	Member of Comprehensive Municipal Pension Fund Board, term to expire February, 1995	2002
942	Dickinson, Chief	Member of Comprehensive Municipal Pension Fund Board, term to expire February, 1995	999
1763	Harrington, Moira	Magistrate for a term to expire January, 1997	999
1616	Petrolias, John	Member of the Public Parking Authority, term to expire May 1, 1997	2002
101	Salac, Kurt	Member of Equipment Leasing Authority, term to Expire December 31, 1996	1815
1616	Sciullo, John	Member of the Urban Redevelopment Authority, term to expire December 2, 1997	56
942	Wagner, Jack	Member of Comprehensive Municipal Pension Fund Board, term to expire February, 1995	1815
517	Watson, Robert C.	As City Magistrate, term to expire January 1996	999

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528	Fixing number of officers and employees and rate of compensation, making corrections Amending 1295/1991	521,554,609
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231	Various Renovations of Public Buildings	369, 473
1191	Various repairs and emergencies for the Dept. of Parks and Recreation, \$120,000.00	183, 350
37	Various repairs to City facilities, \$450,000.00, Dept. of General Services	1262, 1339
278	Zoo Master Plan Implementation, \$2,500,000.00	28, 107
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1177	Council to retain its own attorney	1260, 1411
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893	City to place certain traffic signs at the intersections of Dithridge and Henry Streets, 4th Ward	225, 297
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1500	Designating Banks and Lending Institutions to act as Depositories for the year 1993 in accordance with Pittsburgh Code, Title Two-Fiscal	1635, 1776
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1598	Authorizing negotiation with Duquesne Light Company of a program for the purchase of future electric capacity at ■ reduced price	1812, 1848
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1487	Andy Warhol Muesum, 117 Sandusky Street, a handicap ramp in the right-of-way of Sandusky Street, 22nd Ward	1683
1485	Andy Warhol Museum, 117 Sandusky Street, a canopy over a portion of the right-of-way on Sandusky Street, 22nd Ward	1683
1490	Andy Warhol Museum, 117 Sandusky Street, eight bollards in thr right-of-way along Vulcan Way, 22nd Ward	1684, 1780
1489	Andy Warhol Museum, 117 Sandusky Street, seven bollards in the right-of-way along Rieseck Way, 22nd Ward	1683, 1780
1488	Andy Warhol Museum, 117 Sandusky Street, trees with grates on sidewalk area along General Robinson Street, 22nd Ward	1683, 1780
1486	Andy Warhol Museum, 117 Sandusky Street, trees with grates on the sidewalk area along Sandusky Street, 22nd Ward	1683, 1779
1660	Andy Warhol Museum, the license to construct a canopy over a portion of the right-of-way on Vulcan Way, 22nd Ward	1868, 1951

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BILL NO.	SUBJECT	PAGE
1659	Andy Warhol Museum, the license to construct a concrete handicap ramp in right-of-way of Sandusky Street, 22nd Ward	1867, 1951
523	Anthony Ambrogio, one story and basement addition, 15th Ward	520, 617
784	Bedcliff Associates installation of canopy over sidewalk at 815 Cassatt Street, 3rd Ward	775, 902
783	Bedcliff Associates installation of two canopies on sidewalk at 1821-1823 Bedford Avenue, 3rd Ward	775, 902
791	Bedcliff Associates, canopy on sidewalk at 15 Manilla Street, 3rd Ward	776, 903
789	Bedcliff Associates, canopy on sidewalk of 809-811 Ledlie Street, 3rd Ward	776, 903
788	Bedcliff Associates, on sidewalk of 1836-1838-1840 Arcena Street, 3rd Ward	775, 903
790	Bedcliff Associates, six canopies on sidewalk at 714-716-718-720-722-724 Manilla Street, 3rd Ward	776, 903
732	Bell of Pennsylvania telephone cabinet and two bollards in right of way of Kentucky Avenue, 7th Ward	883, 786, 732
1455	Bloomfield Bridge Tavern, 4412 Liberty Avenue, 8th Ward, a canopy over a portion of the sidewalk at that address	1570, 1744
15	Burton L. Hirsch Funeral Home, Inc., 2704 Murray Avenue, a canopy covering for the front entrance, 14th Ward	24, 101
152	Carnegie Library for the Blind and Physically Handicapped, three bollards with connection metal handrail on the sidewalk of Baum Boulevard, 4th Ward	124, 244
1417	Catherine David Reisdorf, 466 Belonda Street, a fence on a portion of the right-of-way of Mann Street, 19th Ward	1528, 1696
787	Central Hill Associates, canopy on 256 Dinwiddie Street, 3rd Ward	775, 903
786	Central Hill Associates, canopy over sidewalk at 75 Roberts Street, 3rd Ward	775, 902
785	Central Hill Associates, five canopies over sidewalk at 2-4-6-8-10 Roberts Street, 3rd Ward	775, 902
1204	Curran Development Corporation for handicap ramp on portion of the sidewalk area along Forbes Avenue, 1st Ward	1283, 1385
21	Dolores Fauth, 407 Clarence Street, a portion of right of way of Crooked Way, 19th Ward	25, 103
20	Donald and Helen Oakes, 1738 Hallowell Street, an encroachment on right of way of Adze Way, 32nd Ward	25, 103
13	Duquesne University, 600 Forbes Avenue, right of way Locust Street, 1st Ward	24, 55
1296	Eat N Park, Inc. for 8 decorative pilasters and 2 canopies over sidewalk on Murray Avenue, 14th Ward	1408, 1508

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1152	Gerald and JoAnn Farrell for an extnesion to their porch on sidewalk of McCandless Avenue, 10th Ward	1229, 1265
153	Italian Oven and Groceria, a canopy of the sidewalk on 1700-1706 Penn Avenue, 14th Ward	124, 244
17	Jewish Woman's League, 2336 Shady Avenue, a concrete handicap ramp of Pittock Street, 14th Ward	25, 102
824	John and Karen Tkach, fence on right of way of Leasie Drive, 31st Ward	810, 951
443	John T. Quinlan, a fire escape and balcony, Thirty-Seventh Street, 7th Ward	409, 525
603	Kenneth and Diane Baldinger, fence encroachment, 32nd Ward	549, 641
16	Lawrence Galie, 345 William Street, a concrete driveway, 18th Ward	25, 101
922	LePommier Restaurant to extention to sidewalk Cafe on East Carson Street, 16th Ward	973, 1057
866	Lori A. Luman, a fence on right of way of Crysler Street, 19th Ward	860, 995
125	Margaret C. Lux, an existing parking pad on portions of the right of way of Joncaire Street, 4th Ward	91, 244
18	Medical Center Brace Company, 33 S. 19th Street, a handicap ramp and canopy on a right of way, 17th Ward	25, 102
1140	Michael and Jane McKenny Louik for a fence on un-named right-of-way between Wilkins Avenue and Glen Arden Drive, 14th Ward	1217, 1265
151	Ms. Wright-Blessed Dawn Watch Personal Care Home, a fence on a portion in the right of way of Burgess Street and Maywood Street, 26th Ward	124, 244
1416	NCP Enterprise, Inc, 1401 Ridge Avenue, a concrete stoop and stairs in the right-of-way of Lighthill Street, 21st Ward	1528, 1696
444	Pannier Corporation, 207 Sandusky Street, two sidewalks of Cajou and Vulcan Ways, 23rd Ward	409, 526
19	Peter Contis, 33 Minooka Rear House, a fire escape over an alley named Santa Claus Way, 16th Ward	25, 103
14	Pittsburgh Playhouse, 222 Craft Avenue, a handicap ramp on sidewalk of Hamlet Street, 4th Ward	24, 101
1226	Presbyterian University Health Systems, Inc., canopy over the sidewalk area at Gold Way, 5th Ward	1319, 1437
23	Richard Swann and Ruth Ann Swann, 4737 Interboro Avenue on a paper street called Navy Way, 31st Ward	25, 104
1227	Robert and Gloria Lee, handicap access ramp on a portion of the sidewalk area along Lafayette Avenue, 26th Ward	1319, 1437

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24	Robert C. Pessolano, 44 S. 14th Street, a marquee on a sidewalk of 1601 East Carson Street, 17th Ward	26, 991
865	Robert E. & Lee Food Company two 30" round tables and 4 chairs on sidewalk on Copeland Street, 7th Ward	860, 1015
1415	Robert Wholey & Company, Inc, 1501 Penn Avenue, a canopy over a portion of the sidewalk at 1737 Penn Avenue, 2nd Ward	1528, 1696
269	Serb National Federation, One Fifth Avenue, a canopy for One Fifth Avenue Building, 2nd Ward	223, 336
864	Shadyside Hospital, 30 tie-backs on a portion of the right of way of Centre Avenue, 7th Ward	860, 993
1015	Shiloh Street Business Associates, for a sign in a portion of right-of-way, 19th Ward	1082, 1152
1484	South Side Local Development Company, 1417 East Carson Street, a concrete stoop in the right-of-way of Bingham Street, 17th Ward	1683, 1779
1414	Susanne S. Robb, 6930 Rosewood Street, a fence on a portion of the right-of-way of Noah Street, 15th Ward	1528, 1695
354	Teamster Local 250, 4127 Brownsville Road a portion of the right of way, Woodmere Drive, 28th Ward, 11th Voting District	321, 376
22	Teresa Borelli, 4801 Interboro Avenue, a paper street called on Navy Way, 31st Ward	25, 103
1077	The Blues Cafe, handicap ramp on the sidewalk of South 19th Street, 17th Ward	1125, 1182
1377	The Overture Restaurant for a canopy on 212 Sixth Street, 2nd Ward	1499, 1584
521	University of Pittsburgh, Fifth Avenue, 4th Ward a steam distribution system	520, 617
522	West Penn Hospital, installation of a tunnel under South Millvale Avenue, 8th Ward	520, 617
476	West Penn Hospital, lights, poles and pole foundations on right of way of Aloe Street, 8th Ward	467, 558
1153	West Penn Hospital, lights, poles, pole foundations and conduit in portions of the right-of-way of Aloe Street, 8th Ward	1229, 1301

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32	Formation of Municipality Authority known as Pittsburgh Equipment Leasing Authority	776, 816
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1604	Director of Parks to increase certain admission fees and charges in connection of Swimming Pool Program	180, 343

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1176	Home Rule Charter requesting the Mayor's presence in front of Council to discuss the reorganization of the Bureau of Fire	1818
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11	Oakland Civic Historic District, 4th Ward	23, 73
73	Historic Review Commission to expand the Schenley Farms Historic District, 4423 Bigelow Blvd.	24, 476
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710	American Waterways Wind Orchestra, 200 lineal feet of wharf frontage, 6th Street Bridge, 90 day term, \$1.00 per year	795
271	DiNardo Limited, term of 5 years, \$1.00, dept. of Public Safety	632, 692
610	Forbes Street Associates, 441 Smithfield Street Building, \$144,888.75 basic monthly rate	224, 283
1467	Harvey Adams and Associates for building at 2174 Centre Avenue, three year term at annual rental of \$1.00	550, 670
420	Lease 1972 Mack Pumper to Borough of Tarentum, \$1.00, 1572, 1700, 1752 term of 30 days	368, 494

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92	Management Agreements property for senior citizens, \$182,364.00	48,163,339
93	Neville Ice Areana, Inc. Dek Hockey rink, 16th and 15th Wards	48,163,196
1465	Properted located at 57th Street for a period of 8 years, cost \$1.00 yearly	1571, 1749
91	Property for Community Recreation Center, \$9,000.00	48, 163
1466	Salvation Army for the use of 1821 Broadhead-Fording Road, \$8,820.00	1571, 1752
1649	Zoological Society of Pittsburgh of property located in Highland park in connection with the construction and operation of an Education Complex, annual rent \$1.00	1835, 1998

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90	Duquesne Light Company operation of overhead electrical system, 5th Ward in connection to service to Kennard Park	48, 162
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1052	Certification by the PA Dept. of Community Affairs in order to close out the Magee Recreation Center Project	1088,1187
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1380	Approving the Parking Meter Zones Master Plan pursuant to Ordinance No. 60 of 1991	1500, 1954
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65	Residents to discuss the proposed removal of Engine Company #14 from the Fire Station at Louisa & McKee Streets in Oakland Area	32
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134	Homewood-Brushton area to discuss extensive landslide damages to URA funded housing units located on Haverhill Street, 13th Ward	95
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538	Residents regarding the state liquor store located at 1718 Fifth Avenue in Uptown Section of the City	523
937	Resident to discuss Bill No. 897 - Ordinance amending Pittsburgh Code Title Five, Parking Meters and Off-Street Parking, penalty from \$10.00 to \$15.00	975
1062	Residents concerning the relationship between the police and the community at large	1231
1123	Council for the Go-Kart Track at 2640-A Idelwood Avenue, 28th Ward	1199
1124	Residents to discuss the supplemental pay for the use of shelterhouse located in McKinley Park, 18th Ward	1199
1514	Residents regarding the current expansion of the Public Works facility in Riverview Park and the need for relocation of this Public Works facility outside the Riverview Park limits	1687
1614	Residents objecting to the vacation of Princess Avenue between Platt Avenue and Brookside Avenue and Bout Avenue, 19th Ward	1815
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47	Act No. 171 of 1984 (Second Class City Treasurer Sale and Collection Act)	29, 100

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736	Act No. 171 of 1984 "Second Class City Treasurer Sale and Collection Act"	684, 784
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805	Act No. 171 of 1984 "Second Class City Treasurer Sale and Collection Act"	778, 864
875	Act No. 171 of 1984 "Second Class City Treasurer Sale and Collection Act"	862, 989
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934	Act No. 171 of 1984 "Second Class City Treasurer Sale and Collection Act"	974,
935	Act No. 171 of 1984 "Second Class City Treasurer Sale and Collection Act"	975,
1034	Act No. 171 of 1984 "Second Class City Treasurer Sale and Collection Act"	1085, 1177
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1145	Act No. 171 of 1984	1218, 1263
1147	Act No. 171 of 1984 (Second Class City Treasurer Sale and Collection Act)	1218, 1263
1148	Act No. 171 of 1984 (Second Class City Treasurer Sale and Collection Act)	1218, 1264
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1427	Act No. 171 of 1984 (Second Class City Treasurer Sale and Collection Act)	1530, 1689
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1505	Act No. 171 of 1984 (Second Class City Treasurer Sale and Collection Act)	1686, 1777
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1548	Act No. 171 of 1984 (Second Class City Treasurer Sale and Collection Act)	1719, 1823
1566	Act No. 171 of 1984 (Second Class City Treasurer Sale and Collection Act)	1770, 1845
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1641	Act No. 171 of 1984 (Second Class City Treasurer Sale and Collection Act)	1834, 1872
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1753	Act No. 171 of 1984 (Second Class City Treasurer Sale and Collection Act)	1980, 2022
1754	Act No. 171 of 1984 (Second Class City Treasurer Sale and Collection Act)	1980, 2022
ACCEPTANCE		
921	Pittsburgh National Bank of certain property in the 13th Ward for highway purposes, Zenith Way	973, 1057
ACQUISITION		
1439	From Patrick Cox and Catherine Cox and Daniel Seemiller and Valerie Seemiller, 29th Ward, \$196,984.00	1532, 1703
739	URA title in fee simple to property in 1st Ward for public uses ancillary to construction of building house courts in Public Safety Complex	684, 787
986	Director of Finance purchase from Thomas and Norren Fuchs certain property in the 29th Ward, \$6,500.00	1051, 1130
CONVEYANCE		
1056	Certain Property to Anthony and Mary Adipietro, for the sum of \$1,500.00	522, 608
1303	Block 84-F, Lot 77, 8th Ward to the Public Parking Authority of Pittsburgh	1410, 1533
1504	Property 18th Ward Block 3J, Lot 180 to Lawrence P. Galie, \$3,500.00	1686, 1777
DEDICATION		
1056	Property on Centre Avenue and North Craig Street, 4th Ward from 101 Kappa Drive Associates #1 and Giant Eagle, Inc., \$6,000.00	1088, 1188
920	Homewood Brushton Neighborhood Center, Inc., 13th Ward for public highway purposes	970, 1057
SALE		
737	2600 Burgess Street, 26th Ward to Perry Hilltop Association for Successful Enterprises for the sum of \$10,000.00	684, 784
PROPERTY AMENDMENTS		
1306	2422 Maple Avenue, 26th Ward in accordance with Act No. 171 of 1984, Item D of Resolution No. 709/1992	1410, 1504
457	Adriana M. Guidotti - 1528 Rutherford Avenue, 19th Ward, for the sum of \$11,505.00, Item A of Resolution No. 88/1992	411, 524

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456	Austin J. Richards Company - 314 Sheridan Avenue, 11th Ward, for the sum of \$1,000.00, Item E of Resolution No. 1288/1991	411, 524
427	Bernard C. and Lisa Duffy - 615 McLain Street, 18th Ward for the sum of \$375.00, Item F of Resolution No. 1112/1991	370, 473
683	Construction Plus Inc. - 5020 Blair Street, 15th Ward, for the sum of \$2,000.00, Item B of Resolution No. 52/1992	602, 690
803	Daniel H. Robinson - 7001 Idelwild Street, 13th Ward, for the sum of \$7,500.00, Item D of Resolution No. 78/1991	778, 864
1081	David Jackson and Roland Garland - 2247 Holyoke Street, 26th Ward for the sum of \$5,000.00, Item D of Resolution No. 661/1992	1126, 1179
530	David W. & Jacqueline Wierchowski - 440 Camfield Street, 30th Ward, for the sum of \$300.00, Item K of Resolution No. 981/1991	522, 607
428	Earl V. and Elizabeth Jones - 4157 Irvine Street, 15th Ward, for the sum of \$350.00, Item H of Resolution No. 54/1992	370, 473
1503	Hill, Darryl - 3230 Rothpletz Street, 27th Ward, for the sum of \$6,000.00, Item J of Resolution No. 254/1991	1685, 1777
1329	Jason, Steve - 77 Graib Street, Fountain Street, for the sum of \$1,500.00, Item F of Resolution No. 62/1992	1463, 1544
1547	Johnson, John G. - 1233 Stranmore Street, 21st Ward, for the sum of \$500.00, Item D, Resolution No. 754/1992	1719, 1822
682	Kathy A. Wanat - 753 Stueben Street, 20th Ward, for the sum of \$7,007.99, Item H of Resolution No. 198/1992	602, 690
48	Kosuda, Christine & Richard - 417 1/2 42nd Street, 9th Ward for the sum of \$900.00, Item C of Resolution No. 981/1991	29, 100
932	Kraft, Richard - 846 E. Ohio Street, 23rd Ward, for the sum of \$6,500.00, Item D of Resolution No. 198/1992	974,
1545	Mall, Sara & Robert H. - 34 Brahm Street, 24th Ward, for the sum of \$2,500.00, Item E, of Resolution No. 754/1992	1718, 1822
802	Mary and John Mason - 1106 Montezuma Street, 12th Ward, for the sum of \$2,000.00, Item D of Resolution No. 1198/1991	778, 864
1546	Medley, Vanessa - 5242 Second Avenue, 15th Ward for the sum of \$3,500.00, Item D of Resolution No. 1291/1991	1718, 1822
1501	Paschal, Dora - 7301 Idlewild Street, for the sum of \$6,000.00, Item B of Resolution No. 609/1992	1685, 1776
202	Phillips, Edgar S. - 7027 Bennett Street, 13th Ward for the sum of \$12,000.00, Item A of Resolution No. 672/1991	179, 272

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933	Polamick, Michael G. - 522 N. Negley Street, 11th Ward for the sum of \$1,500.00, Item G of Resoltuion No. 590/1990	974
1305	Ridley, Mark - 814 Laschall Street, 12th Ward, for the sum of \$750.00, Item K of Resolution No. 854/1992	1410, 1504
276	Robert K. Kaniuff - 611 Lorenz Avenue, 20th Ward for the sum of \$5,000.00, Item F of Resolution No. 470/1991	225, 335
1146	Stanley J. Yandura - 163 Hallock Street, 19th Ward for the sum of \$350.00, Item II of Resolution No. 434/1992	1218, 1263
1304	Talley Dorothy - 4930 Dearborn Street, 10th Ward, for the sum of \$3,500.00, Item D of Resolution No. 854/1992	1410, 1504
1502	Walker, William and Estella - 619 Montooth Street, 18th Ward, for the sum of \$400.00, Item D of Resolution No. 892/1992	1685, 1777
455	William E. Taylor - 334 N. Atlantic Street, 10th Ward, for the sum of \$1,500.00, Item B of Resolution No. 907/1991	411, 524
529	William E. Watson - 246 Lombard Street, 3rd Ward, for the sum of \$5,000.00, Item A of Resolution No. 877/1990	522, 607

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72	Abraxas Group, Inc. - Block 125B Lot 167, 12th Ward	45, 105
1684	Allegheny Jehovah's Witness - Block 45H Part of Lot 264, Block 46E part of lot 14 and Lots 34 and 36, for \$5,500.00, 26th Ward	1913, 1997
264	Arch court Associates - Block 23K Lots 342 and 346, 22nd Ward	223, 338
1562	Bloomfield-Garfield Corp. - Block 50L Lots 83, 84, 85, 88, 89 and 92 for the sum of \$1.00, Residential Land Reserve Fund	1770, 1851
1293	•Brame, Ronald - Part of Block 139M Lot 370, 32nd Ward for the sum of \$3,900.00, located on Hillview Street	1408, 1509
265	Buncher Company - Lots 301 and 302, 6th Ward	223, 338
1014	Catranel Construction Company - Lots 14, 17, 18, 19, 20 and 21 and Parcels Zb and Ya, 27th Ward, \$2,500.00	1082, 1184
345	Clyburn, Patricia - Block and Lot 50-S-82, 8th Ward redeveloper will rehab the structure	320, 429
1682	Collins, Lorraine - Block 21-P Lot 100 2628 Washville Street, for \$400.00	1913
349	DeGore, Elizabeth & Louis - Block and Lot 55-L-260, 15th Ward, 4460 McCaslin Street	320, 429

URBAN REDEVELOPMENT AUTHORITY
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350	Gardner, Gerald & Joann Evans - Block 55-L Lot 260, 4460 McCaslin Street, 15th Ward, \$850.00	321, 430
1678	Garfield Jubilee Association - Block 50M Lot 208 5436 Hillcrest Street, 11th Ward	1912, 1996
1563	Hill Community Development - Blocks and Lots for the sum of \$1.00, Residential Land Reserve Fund	1770, 1852
821	Homewood-Brushton Dev. Corp. - Parcel 2, 13th Ward, Redevelopment Area 34	809, 952
1680	Honaker, Pearl G. - Block 21-P, Lot 100 2628 Washville Street, 20th Ward, for \$1.00	1912, 1996
1676	Kronenbitter, Ross A. - Block 83E Lot 244 for \$700.00, 11th Ward	1912, 1996
1561	Lawrenceville Development - Block 48S Lot 213, 3405 Butler Street, \$1.00	1770, 1851
1687	Milewski Brothers & Associates - Block 49P Lot 149 311 38th Street, for \$1.00 as per PProperty Management and Maintenance Program, 6th Ward, for \$1.00	1913, 1997
346	Minnerly, Carol R. - Block 50-S Lot 82, 8th Ward, \$1,450.00	320, 429
71	Publicly - Owned Property - Block 125B Lot 167, 12th Ward, Deed Registry Office	45, 105
263	Publicly-owned Property - 22nd Ward, Block 23K Lots 342 and 346	222, 338
347	Publicly-owned Property - Block and Lot 56-F-354, 4823 Chatsworth Street, 15th Ward	320
351	Publicly-owned Property - Residential Land Reserve Fund, Council Districts 1, 2, 3, 5 & 6	321, 430
1012	Publicly-owned Property - Block 3S, Part of Lot 272, 17th Ward	1082, 1184
1677	Publicly-owned property - Block 50M Lot 208 5434 Hill Crest Street, 11th Ward, for the sum \$1.00	1912, 1996
1679	Publicly-owned property - Block 22-K Lot 20A 1718 Manhattan Street, 21st Ward, for \$1.00	1912, 1996
1681	Publicly-owned property - Block 21-P, Lot 100 2628 Washville Street, for \$1.00	1912
1683	Publicly-owned property - Block 45-H Part of Lot 264 and Block 46-E, Lots 34 and 36, Part of Lot 14, 26t Ward, for \$1.00	1913, 1996
1685	Publicly-owned property - Residential Lan Reserve Fund, for the sum of \$1.00	1913
1454	SMS Engineering, Inc. - Sale of Parcel 17 for \$365,000.00, 22nd Ward, Council District #6	1570, 1746

URBAN REDEVELOPMENT AUTHORITY
PROPERTY SALES

BILL NO.	SUBJECT	PAGE
1013	Tripoli, Thomas & Christine - Block 3S Part of Lot 272, 17th Ward, \$750.00	370, 428
1686	Various Redevelopers - Sale of properties in the City	1082, 1184
348	Williams, Thomas L. - Block 56-F Lot 354, 5th Ward 4823 Chatsworth Street, \$300.00	1913

REAL ESTATE

431	Director of Finance to begin a survey of property subject to the City Real Estate Tax, 1% of parcels	320
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REAPPORTIONMENT COMMITTEE

1376	Adopting a Reapportionment Plan for City Council Districts, Three Minority-Majority District Plan by The Citizens' Committee for Full and Fair Empowerment	1499,1573,1655
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REAPPORTIONMENT LEGISLATION

1248	Reapportionment Plan for the City Council Districts as set forth in Majority Report of the Reapportionment Advisory Committee	1322,1573,1653
1249	Reapportionment Plan for the City Council Districts in the City, set forth in the Minority Report of the Reapportionment of Advisory Committee	1322,1573,1654

READ AND ADOPTED RESOLUTIONS
ALL MEMBERS

548	Declaring its support for The Carnegie Library	509
727	Urging Mayor Masloff and URA Board of Directors to include Renaissance Court in various economic development proposals considered for Strategy 21	627
818	Proclaiming May 16, 1992 as "BE A SPORT DAY" in the City	771
967	Encouraging Pittsburghers to patronize gasoline stations on June 26 - 28, 1992	1007
1287	Extending best wishes to Bishop Wuerl and to all Catholics of the Diocese for its outstanding public service to the needs of Pittsburgh	1367
1395	Proclaiming Thursday, October 1, 1992 to be "Continuing The Tradition Day" in the City	1480
1724	Encouraging all residents in Pittsburgh to contribute ideas and support the efforts of the Pittsburgh Founders Celebration Council	1910
1761	Declaring Monday, December 21 through Sunday, December 27, 1992 "Peace On Earth Week" in the City	1976

READ AND ADOPTED RESOLUTIONS
DAN COHEN

102	Proclaiming January 20-27, 1992 as "National Council of Jewish Women Week" in the City	44
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READ AND ADOPTED RESOLUTIONS
DAN COHEN

BILL NO.	SUBJECT	PAGE
103	Declaring Saturday, January 11, 1992 as "Gabe and Inex Guerrieri Day" in the City	44
144	Proclaiming Saturday, February 1, 1992 as "Eastside Day" in the City	83
145	Declaring January 28-31, 1992 as "Head Start Days" in the City	85
341	Declaring March, 1992 as "Don Allen Chevrolet - Driving for Education Month" in the City	265
468	Congratulating the School for Advanced Jewish Studies	453
508	Commending Mr. Scatena for his service to the Bloomfield community	539
631	Committed to work with the Press and Post Gazette to maintain this valuable resource of youth employment	581
700	Wishing area high school students the best of luck in competition to be held April 29, 1992 as the University of Pittsburgh	625
725	Proclaiming Friday, April 24th through Sunday April 26th as "West Penn Hospital School of Nursing Weekend" in the City	678
747	Declaring April 21-31, 1992 as "Women Lawyers Day" in the City	679
748	Declaring April 28, 1992 as "Greater Pittsburgh Commission on Women's Economic Self-Sufficiency Project for Pregnant and Parenting Teens Day" in the City	767
813	Congratulating Alpha House for outstanding work for the Community	768
814	Declaring May 17, 1992 to be Jewish Education Institute of Pittsburgh Day in the City	769
815	Commending Bloomfield Morra Champions for their expertise in Italian Morra	847
885	Declaring May 31 to be Hillel Academy in the City	965
943	Commending The Carnegie for it's community outreach project	1042
996	Proclaiming Saturday, June 27, 1992 as "Lesbian/Gay/Bisexual Pride Day" in the City	1226
1169	Wishing the dedicated volunteer coaches and their athletes the best of luck at the Jewish Community Center's 1992 North American Games	1399
1312	Declaring Saturday, September 26, 1992 to be Three Rivers Association Head of the Ohio Day in Pittsburgh	1402
1313	Proclaiming Wednesday, September 23, 1992 as "Marion Damick Day" in the City	1449
1339	Recognizing Saturday, October 3, 1992 as "project Bundle-Up Day" in the City	

READ AND ADOPTED RESOLUTIONS
DAN COHEN

BILL NO.	SUBJECT	PAGE
1340	Declaring Sunday, October 4, 1992 to be "Shadyside Action Coalition's 15th Annual Shadyside House Tour Day" in the City	1451
1397	Acknowledging the restoration of the magnificent Columbus monument, symbolic of Pittsburgh's colorful spectrum of cultures and heritage	1485
1475	Proclaiming Saturday, October 24, 1992 as "Eastside Day" in the City	1565
1523	Encouraging all residents to visit Don Allen Chevrolet and The Boardwalk prior to Halloween Night	1673
1622	Proclaiming the month of November, 1992 as "Alzheimer's Disease Awareness Month" in the City	1801
1625	Designating Sunday, November 22, 1992 as Aaron D. Levinson Peace Day" in the City	1804
1674	Declaring Monday, November 30th, 1992 as "Marian Davis Day" in the City	1866

READ AND ADOPTED RESOLUTIONS
DUANE DARKINS

69	Congratulating One Voice Against Racism in honor of the late Dr. Martin Luther King, Jr.	399
144	Proclaiming Saturday, February 1, 1992 as "Eastside Day" in the City	19
179	Congratulating Eddie Edwards for his historic achievement and challenges inequities to reach his dream	83
180	Recognizing John H. Adams dedicated to making opportunities available for African American Entrepreneurs	117
250	Recognizing Bernard H. Jones, Sr. for making it possible for African Americans to reach their goals and dreams	120
251	Recognizing Helena Gerard Hughes as a determined African American pioneer	171
252	Recognizing Henry Richard Ryan as a man of character and outstanding African American	173
253	Proclaiming the months of March, April and May as "Links Pittsburgh Chapter Months" in the City	174
287	Recognizing Reverend George A. Fitch who encourages us to "Overcome Boundaries"	175
288	Saluting The African American Women who have excelled becoming beacons of achievement and inspiration	213
331	Recognizing Patricia Thomas for Head Start Program	214
332	Recognizing Jean Swann Farrish as a talented writer dedicated to her craft	256

READ AND ADOPTED RESOLUTIONS
DUANE DARKINS

BILL NO.	SUBJECT	PAGE
333	Honoring 1992 Trailblazers as African Americans	257
410	Observing Sickle Cell, Inc.'s as an institution dedicated to saving lives	311
509	Encouraging City residents to attend "Strike a Light for Peaceful Change in South Africa"	455
510	Saluting Lois M. Drafts who created arenas that responded to needs of mankind	457
511	Recognizing Elizabeth Ann Haley as outstanding woman who gives unconditionally to uplift minds to reach beyond expectations	458
512	Congratulating McGant Broadus for pursuing their ambition to reach their goal in the City	459
544	Commending Helen H. Smith for her devotion to the progression of youth	511
545	Recognizing Mrs. Lynda Beamah Jackson-Burley who taught others how to improve their status in life	512
546	Recognizing Dr. Elizabeth North Youngue as a woman who blazed trails to many	513
627	Declaring April 1992 "Parents and Reading Month" in the City	535
628	Commending the 1992 Hand In Hand Award Winners	536
631	Committed to work with the Press and Post Gazette to maintain this valuable resource of youth employment	539
701	Congratulating Dorian A. Johnson for his determination for further his stance in life	584
702	Expresses apprection to the Catholic Diocese and Director Father Reginald DeFour for making computer awareness possible	585,
703	Commending Pittsburgh Chapter Prsident Gloria Spearman and its Board of Directors for dedication to improve the standards of real estate	586
704	Requesting Mayor Masloff to re-instate Judge Miskovich as Housing Court Magistrate	587
726	Recognizing 20 Post Commanders and 19 Ladies Auxillary Presidents for their commitment to maintain a facility for war time veterans	626
766	Commending AARP's founder, Mrs. Lottie Hoskey for organizing the Pittsburgh Hill District American Association of Retired Persons, Chapter #4706	723
853	Honoring William H. Lewis, Jr. as President of Bobcats Athletic Club, Inc.	804
854	Recognizing East End Discovery Block Club Founder and President Mrs. Geneva Adams	804
855	Acknowledging Presidents Fred S. Montgomery and Dorothy J. Lowery for keeping alive the Order's mission	804

READ AND ADOPTED RESOLUTIONS
DUANE DARKINS

BILL NO.	SUBJECT	PAGE
886	Congratulating the Reverend Doctor Michael Angelo Frencher, Sr. for competence in the field of ministry	849
887	Congratulating students for completing the Science and Mathematics Program at George Westinghouse High School	850
944	Recognizing Mattie V. Hollis for laying the foundation for her children	967
945	Recognizing the honorees of the St. James A.M.E. Church Deaconess Home Awards and Benefit Dinner	968
946	Congratulating Pastor Leonard E. Roache and Co-Pastor Sylvia L. Roache on their 31st Anniversary with Lincoln Avenue Church of God	968
964	Supporting PNBC Pastors and Women's Service Committee under the leadership of Dr. John B. Clark	1003
992	Proclaiming June 25 through July 2, 1992 as "Urban Youth Action Incorporated, Week" in the City	1037
993	Congratulating students for having maturity to take advantage of a program designed to enhance their success in life	1039
994	Commending Mrs. Bernice D. Scates for her dedication to East End area Pittsburgh Chapter #4542 of American Association of Retired Persons	1039
1069	Celebrating 48th year of Metoka's mission and president Adrienne Shedrick	1071
1098	Commending Grand Worthy Matron of Deborah Grand Chapter Mrs. Nellie M. Cathie	1171
1099	Commending several Charming Young Ladies for their support to others	1172
1168	Declaring August 20, 1992 as "Robert Harold Ficklin, Sr. Day" in the City	1225
1198	Declaring Friday, August 21, 1992 as "Bishop Louis Henry Ford Day" in the City	1258
1218	Congratulating United Steelworkers of America on their 50th Anniversary	1277,
1281	Declaring September 15, 1992 as "Jermaine Jackson and Terrance Spears Day" in the City	1360
1282	Recognizing the Pittsburgh Branch NAACP Special Events Committee for organizing the first African American Tennis Tournament in the City	1360
1283	Extending success to the Kingsley Association for their next 100 years	1361
1397	Acknowledging the restoration of the magnificent Columbus monument, symbolic of Pittsburgh's colorful spectrum of cultures and heritage	1485
1398	Recognizing the members and officers of the Greater Pittsburgh Guardians	1487
1399	Wishing Mr. Ira D. Ritter, Sr. on his 60th Birthday	1488

READ AND ADOPTED RESOLUTIONS
DUANE DARKINS

BILL NO.	SUBJECT	PAGE
1400	Extending well wishes to the Women of Baptist Temple Church for a successful Annual Women's Day Celebration	1488
1402	Declaring Sunday, October 4, 1992 as "Victory Temple Original Church of God" day in the City	1491
1449	Declaring Saturday, October 17, 1992 as "Afro-American Day" in the City	1524
1475	Proclaiming Saturday, October 24, 1992 as "Eastside Day" in the City	1565
1476	Declaring October 8, 1992 as "Judge Geroge H. Ross Day" in the City	1567
1522	Extending best wishes to John Wesley Sloan and Isabelle Doris Sloan on their Golden Wedding Anniversary	1672
1623	Declaring "Black Contractors Association of Pittsburgh Day" in the City	1803
1624	Commending George E. Carter for his steadfast commitment to support those desiring to challenge their minds and broaden their range for advancement	1803
1626	Proclaiming Tuesday, November 17, 1992 as "Sam Tiglio Day" in the City	1807
1657	Congratulating Bathsheba Chapter No. 25 of Deborah Grand Chapter, Order of Eastern Star, Prince Hall Affiliation, Commonwealth of PA for recognizing Grand Worthy Patron Rudolph Culberson for his achievements to uphold the fraternal standards	1831
1673	Extending best wishes as Ethel Harris retires from the Forbes Metropolitan Hospital.	1865
1720	Commending Dusty Long for his dedication to powerlifting	1901
1721	Congratulating Ronald Carter, Jr. for his dedication to youth	1902
1722	Congratulating the George Westinghouse High School Bulldog Football Team on their 1992 Championship Season	1903
1748	Extending James E. Willingham's success as he begins the new year as Hartford, Connecticut Long Rivers Council Chief Executive Officer	1934
1760	Honoring Dock Fielder, Jr. and Retirement Committee Members	1975
1767	Council is mindful that without several coaches for the Homewood Brushton Athletic Teams the abilities our our leaders would be untapped and prone to nonproductive choices	2015
1768	Commending Head Coach Patricia and Coaching Staff of the Homewood Termites and Twerps for dedicating their time to provide girls with opportunity	2016

READ AND ADOPTED RESOLUTIONS
JIM FERLO

104	Offering alternatives to substance abuse for our youth in public housing communities	45
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READ AND ADOPTED RESOLUTIONS
JIM FERLO

BILL NO.	SUBJECT	PAGE
144	Proclaiming Saturday, February 1, 1992 as "Eastside Day" in the City	83
146	Encouraging all cable consumers to contact Senators Spector and Wofford to support S.12	86
289	Calling Governor Case to take immediate action to restore full funding for the PA Small Business Development Centers Program	215
334	Proclaiming Sunday, March 1, 1992 as "James R. Banze Day" in the City	259
341	Declaring March, 1992 as "Don Allen Chevrolet - Driving for Education Month" in the City	265
469	Bill No. 469 - Medford Declaration to End Hunger in the U.S.	401
508	Commending Mr. Scatena for his service to the Bloomfield community	453
513	Declaring "Save Our Cities - Save Our Children Day" in the City	460
547	Declaring Tuesday, March 31, 1992 as "Kerry Stoner Day" in the City	514
631	Committed to work with the Press and Post Gazette to maintain this valuable resource of youth employment	539
704	Requesting Mayor Masloff to re-instate Judge Miskovich as Housing Court Magistrate	587
749	Commending Nationwide Insurance on their idea of Prom Promise and MIX JAMZ and WPXI-TV for supporting Prom Promise	681
768	Declaring the month of May 1992 as "Mediation Month" in the City	725
769	Urging President Bush to participate in Earth Summit and protecting global environment	727
770	Urging all residents to attend FRA-Federal Railroad Administration public hearing on Conrail's application	729
889	Declaring May 29 & 30, 1992 as HEALTH CARE FOR ALL days in the City	852
995	Commending the important work of Pittsburgh/Donetsk Sister City Organization	1040
996	Proclaiming Saturday, June 27, 1992 as "Lesbian/Gay/Bisexual Pride Day" in the City	1042
998	Commending Larry Rosen of Pressure Chemical Co. and Mike Hepler, President of the Lawrenceville Boys and Girls Club for outstanding Cooperative efforts for future leaders of our community	1045
1070	Proclaiming Tuesday, June 30, 1992 as "Sam Papa Day" in the City	1072
1090	Giving encouragement to the Market Square Association and the Uptown Community Action Group	1119

READ AND ADOPTED RESOLUTIONS

JIM FERLO

BILL NO.	SUBJECT	PAGE
1284	Proclaiming September 15 and 16 to be "Pittsburgh-Cuba Friendship Days" in the City	1362
1285	Hereby opposing any attempt by the Allegheny County Commissioners to reduce personnel	1364
1313	Proclaiming Wednesday, September 23, 1992 as "Marion Damick Day" in the City	1402
1396	Encouraging all residents to attend the Monday, October 12th Columbus Day Parade	1482
1475	Proclaiming Saturday, October 24, 1992 as "Eastside Day" in the City	1565
1523	Encouraging all residents to visit Don Allen Chevrolet and The Boardwalk prior to Halloween Night	1673
1625	Designating Sunday, November 22, 1992 as Aaron D. Levinson Peace Day" in the City	1804
1723	Proclaiming the week of December 7, 1992 as "Pennsylvania Nursing Home Caregivers Week" in the City	1905
1749	Recognizing the outstanding efforts of several individuals for their devotion to the Republic of Ireland	1934

READ AND ADOPTED RESOLUTIONS

MICHELLE MADOFF

514	Welcoming participants of the 1991-1992 Grade School State CYO Basketball Tournament	463
909	Proclaiming the week of June 7, 1992 as "AIDS Awareness Week" in the City	921
997	Declaring Sunday, June 28, 1992 as "Elliott Community Day" in the City	1044
1071	Declaring July 3, 1992 as "Grandview Extravaganza Day" in the City	1075
1169	Wishing the dedicated volunteer coaches and their athletes the best of luck at the Jewish Community Center's 1992 North American Games	1226
1257	Declaring Tuesday, September 8, 1992 "Postal Employee Recognition Day" in the City	1318
1292	Authorizing City Clerk to determine whether it is cost effective to repair damaged equipment	1391,
1397	Acknowledging the restoration of the magnificent Columbus monument, symbolic of Pittsburgh's colorful spectrum of cultures and heritage	1485
1397	Acknowledging the restoration of the magnificent Columbus monument, symbolic of Pittsburgh's colorful spectrum of cultures and heritage	1485
1450	Honoring the Westside Community Development Corporation for the Ujamaa "Cooperative economics" Center	1524 1675

READ AND ADOPTED RESOLUTIONS
MICHELLE MADOFF

BILL NO.	SUBJECT	PAGE
1524	Commending the collaborative efforts of the West End-Elliott Joint Project	1866
1674	Declaring Monday, November 30th, 1992 as "Marian Davis Day" in the City	518
548	Commending James "Sharkey Lewis" for years of dedication to residents	1807
1626	Proclaiming Tuesday, November 17, 1992 as "Sam Tiglio Day" in the City	121

READ AND ADOPTED RESOLUTIONS
JAKE MILLIONES

181	Declaring Friday, February 7, 1992, as "National Black Nurses Day" in the City	259
335	Commending every Chorus Member for "reaching out" to Senior Citizens in the City	261
336	Proclaiming Tuesday, February 25, 1992 as "Tennie Harris Day" in the City	265
341	Declaring March, 1992 as "Don Allen Chevrolet - Driving for Education Month" in the City	309
409	Proclaiming Tuesday, March 3, 1992 as "Mel Blount Day" in the City	407
471	Declaring Tuesday, March 17, 1992 "Mary A. Walker Day" in the City	536
629	Proclaiming Thursday, April 9, 1992 as "National P.O.W. Recognition Day" in the City	539
631	Committed to work with the Press and Post Gazette to maintain this valuable resource of youth employment	629
728	Honoring the Pittsburgh Chapter of Chi Eta Phi Sorority on its 43rd Anniversary	923
910	Honoring the students of Art Reach '92 for dedication to Pittsburgh	924
911	Honoring the Pittsburgh Chapter of the Girl Friends and host 1992 National Girl Friend meeting in the City	1076
1072	Declaring the weekend of July 3rd, 4th and 5th as "Watson Parham and Kelly Days" in the City	1119
1090	Giving encouragement to the Market Square Association and the Uptown Community Action Group	1172
1100	Declaring July 9, 1992 "You Don't Need A Home to Vote Day" in the City	1195
1132	Appreciating the efforts of the local AFT members	1258
1199	Honoring Ms. Lucy for her culinary skills	1278
1219	Congratulating the Mexican War Street Society on a successful Summer Youth Employment Program	1366
1286	Recognizing Bishop Henry Allen Belin, Jr. for his leadership in the A.M.E.	

READ AND ADOPTED RESOLUTIONS
JAKE MILLIONES

BILL NO.	SUBJECT	PAGE
1397	Acknowledging the restoration of the magnificent Columbus monument, symbolic of Pittsburgh's colorful spectrum of cultures and heritage	1485
470	Bill No. 470 - Declaring Tuesday, March 17, 1992 "Dennis Brutus Day" in the City	404

READ AND ADOPTED RESOLUTIONS
BOB O'CONNOR

290	Congratulating Earl Jones and the Hazelwood Development Corporation for public service	217
337	Proclaiming week of February 23 to March 1, 1992 as "The Pittsburgh Savoyards Week" in the City	262
338	Congratulating Rabbi Shaul Kagan on his Fourteenth anniversary	263
440	Proclaiming Saturday, March 14, 1992 as "Frank C. Emanuele Day" in the City	365,
472	Proclaiming March 19, 1992 through March 29, 1992 as "Greek Week" in the City	407
515	Proclaiming the week of March 22 through March 28, 1992 as "Scottish Heritage Week" in the City	464
631	Committed to work with the Press and Post Gazette to maintain this valuable resource of youth employment	539
767	Supporting the observance of "National Older Americans Month" and Citiparks' "Senior Center Week" in the City	724
771	Commending the St. Francis Health System and the "Courage to Come Back" program	732
814	Declaring May 17, 1992 to be Jewish Education Institute of Pittsburgh Day in the City	768
816	Proclaiming May 3, 1992 as "Adam Maloney Day" in the City	770
817	Congratulating all involved in the delivery of patient care at the Heritage Shadyside	771
818	Proclaiming May 16, 1992 as "BE A SPORT DAY" in the City	771
866	Proclaiming May 22, 1992 as "United Steelworkers of America Day" in the City	805
885	Declaring May 31 to be Hillel Academy in the City	847
947	Proclaiming the month of June, 1992 as "Friend For Life Month" in the City	969
948	Recognizing Deborah Cordy for her commitment to her community	971
998	Commending Larry Rosen of Pressure Chemical Co. and Mike Hepler, President of the Lawrenceville Boys and Girls Club for outstanding Coopreative efforts for future leaders of our community	1045
1049	Proclaiming August 19, 1992 Pappan's and Roy Rogers Senior Citizen Picnic Day in the City	1214

READ AND ADOPTED RESOLUTIONS
BOB O'CONNOR

BILL NO.	SUBJECT	PAGE
1103	Declaring Sunday, July 19 through Sunday, July 26, 1992 as "Pittsburgh Vintage Grand Prix Race Week" in the City	1176
1169	Wishing the dedicated volunteer coaches and their athletes the best of luck at the Jewish Community Center's 1992 North American Games	1226
1288	Commending Bob Commers for efforts to overcome substantial odds and participate in a Jump-Rope-A-Thon to benefit the St. Francis Health Foundation	1369
1397	Acknowledging the restoration of the magnificent Columbus monument, symbolic of Pittsburgh's colorful spectrum of cultures and heritage	1485
1525	Commending The Western Conservancy for its 60 year history	1679
1526	Proclaiming October 26, 1992 as "Frank Sklar Day" in the City	1680
1527	Congratulating The Greenfield Football Organization	1682
1627	Declaring Friday, November 20, 1992 as "Harry Kistler Day" in the City	1810
1674	Declaring Monday, November 30th, 1992 as "Marian Davis Day" in the City	1866
1761	Declaring Monday, December 21 through Sunday, December 27, 1992 "Peace On Earth Week" in the City	1976
147	Congratulating Mayor Masloff for her recognition by the Yeshiva Schools	87

READ AND ADOPTED RESOLUTIONS
DAN ONORATO

291	Proclaiming the week of February 9-15, 1992 as "Cub Scout Pack 327 Week" in the City	219
339	Commending Winnie Evans for outstanding efforts to the Northview Heights community	264
340	Recognizing Jeanie Hipkins and the members of The Children of Love Theater	265
411	Recognizing Wadsworth Bradshaw for his community	311
412	Recognizing Jean Marshall for exceptional contributions to her community	312
441	Recognizing Monica A. Wehrheim for her commitment to her students in North Side	366
473	Declaring the Slovak Civic Federation of Allegheny County a civic organization within the PA Small Games of Chance legislation	409
630	Recognizing Dr. Alice Carter for her outstanding work and achievements	537
631	Committed to work with the Press and Post Gazette to maintain this valuable resource of youth employment	539

READ AND ADOPTED RESOLUTIONS
DAN ONORATO

BILL NO.	SUBJECT	PAGE
729	Honoring the 36 individuals retiring for the City Police Force	630
730	Recognizing the achievements of Cameleus F. Sanguigni and dedicates Brighton Heights Park, Field #6 to his memory	632
772	Congratulating Nativity J.V. Boy's Basketball Team for completing a successful championship season	733
773	Recognizing the work of Girl Scout Troop #597 in community service project	734
819	Declaring the week of May 10 to May 16, 1992 as "Emergency Medical Services Week" in the City	773
857	Recognizing the Administrators of the Hatian Refugee Center	806
888	Recognizing Thomas Sessions for becoming involved in an emergency situation	851
965	Proclaiming Thursday, June 18, 1992 as "Goodwill Industries Day" in the City	1004
969	Recognizing the efforts of Spring Garden Elementary School to "Save the Aviary"	1010
999	Congratulating Pressley Ridge for heightening community awareness about their work and recruiting foster parents for special programs	1047
1170	Commending Norman Edmunds and Pittsburgh Restoration Services for outstanding work	1228
1220	Recognizing the efforts of those responsible for making the Urban League of Pittsburgh, Inc. Summer Day Camp a success	1230
1221	Declaring Monday, August 31, 1992 as "Homeless Awareness Day" in the City	1281
1222	Recognizing Jeanie Hipkins and the members of the Children of Love Theater for outstanding contributions for "Kick in for Kids" a success	1282
1285	Hereby opposing any attempt by the Allegheny County Commissioners to reduce personnel	1364
1289	Recognizing contributions of those involved in the Breyers Reading Team Program	1369
1312	Declaring Saturday, September 26, 1992 to be Three Rivers Association Head of the Ohio Day in Pittsburgh	1399
1314	Recognizing all those who contributed to making National Night Out 1992 a success	1406
1341	Recognizing the efforts of all involved in establishing Sharing and Caring, Incorporated	1452
1342	Recognizing the SummerHELP Team for their accomplishments and looks forward to PHASE III of the Pittsburgh Community Literacy Garden	1454
1396	Encouraging all residents to attend the Monday, October 12th Columbus Day Parade	1482

READ AND ADOPTED RESOLUTIONS
DAN ONORATO

BILL NO.	SUBJECT	PAGE
1397	Acknowledging the restoration of the magnificent Columbus monument, symbolic of Pittsburgh's colorful spectrum of cultures and heritage	1485
1401	Declaring October 4-10, 1992 as "Fire Prevention Week" in the City	1489
1582	Recognizing the dedication of the Brady Family members through their business the Stephen Brady Funeral Home	1770
1762	Declaring Monday, December 21, 1992 as "National Homeless Persons Memorial Day"	1979

READ AND ADOPTED RESOLUTIONS
EUGENE RICCIARDI

69	Congratulating One Voice Against Racism in honor of the late Dr. Martin Luther King, Jr.	19
254	Congratulating Bessie and Thomas Thronton on their commitment to the Children of Pittsburgh	176
631	Committed to work with the Press and Post Gazette to maintain this valuable resource of youth employment	539
704	Requesting Mayor Masloff to re-instate Judge Miskovich as Housing Court Magistrate	587
858	Congratulating the winner of the 1991 Mainstreet Program Award	807
890	Recognizing the service of its volunteers to the Brashear Association	856
965	Proclaiming Thursday, June 18, 1992 as "Goodwill Industries Day" in the City	1004
1000	Recognizing the commitment of the dedicated volunteers to the Elder-Ado, Inc.	1048
1091	Declaring Saturday, June 27, 1992 as "Cynthia Esser Day" in the City	1124
1101	Honoring members of the Pittsburgh Summer Basketball League	1173
1290	Declaring Saturday, September 19, 1992 as "Brashear Association Day" in the City	1370
1396	Encouraging all residents to attend the Monday, October 12th Columbus Day Parade	1482
1397	Acknowledging the restoration of the magnificent Columbus monument, symbolic of Pittsburgh's colorful spectrum of cultures and heritage	1485
1402	Declaring Sunday, October 4, 1992 as "Victory Temple Original Church of God" day in the City	1491
1403	Acknowledging the contributions of the American Serbian Club to the City	1492
1404	Declaring Sunday, October 4, 1992 as "St. Peter's Christian Mothers and Guild" day in the City	1492

READ AND ADOPTED RESOLUTIONS
JACK WAGNER

BILL NO.	SUBJECT	PAGE
148	Declaring Saturday, January 25, 1992 as "Bill Gray Day" in the City	1492
292	Proclaiming the weekend of February 21-23, 1992 as "Alpha Kappa Alpha Weekend" in the City	88
315	Urging the PA Dept. of Transportation to expedite Wabash Tunnel Bridge and Road Project	220
413	Urging Departments and Authorities to place priority on various approvals necessary to move magnitude forward	315
516	Declaring March 24, 1992 through March 31, 1992 as "Joseph Horne Company Days" in the City	312
549	Recognizing the week of April 6 through April 10, 1992 as "United Hunger Awareness Week" in the City	465
631	Committed to work with the Press and Post Gazette to maintain this valuable resource of youth employment	519
705	Declaring Saturday, April 11, 1992 as "Charles W. Tate Day" in the City	539
706	City will share the Council's local costs in accord with a cost-sharing formula and annual budget	594
746	Proclaiming April 25, 1992 as "John Mazza Day" in the City	595
774	Proclaiming the week of May 10, 1992 to be Innovation Week in the City	677
775	Declaring Sunday, May 3, 1992 as "Father Berk Day" in the City	735
776	Extending most sincere greeting to Lawrence Forristal, Bishop of Ossory, Sion House and the Dean of St. Canice Cathedral, the Deanery, Kilkenny, Ireland for welcoming Pittsburghers to their church, community and country	737
891	Proclaiming Saturday, May 30, 1992 as "IT PAYS TO READ DAY" in the City	738
892	Saluting Point Park College and The Library Center for their support	857
912	Congratulating the Pastor, Elders and Members of the Beechview United Presbyterian Church on their 75th Anniversary	859
913	Congratulating the staff and patrons of the Beechview Branch of the Carnegie Library on their 25th Anniversary	925
966	Declaring Sunday, June 21, 1992 as "Black Vietnam Veterans Day" in the City	926
968	Declaring June 10, 1992 as "A.H. Mathias & Company Day" in the City	1005
1050	Declaring Sunday, August 23, 1992 as "Jazz Day" in the City	1009
1051	Congratulating East Boros Jewish War Veterans Homeless Veterans Corporation and its officers and advisors	1214
		1215

READ AND ADOPTED RESOLUTIONS
JACK WAGNER

BILL NO.	SUBJECT	PAGE
1073	Proclaiming June 29 and 30, 1992 as "Cyclists Ending Hunger for Children Days" in the City	1077
1102	Supporting the new addition to Soldiers and Sailors Memorial Hall	1175
1291	Urging the Secretary of Transportation	1371
1341	Recognizing the efforts of all involved in establishing Sharing and Caring, Incorporated	1452
1343	Extending sincere appreciation to Father Ronald P. Lengwin to his many years of service and dedication to the developoment of cable communications in the City	1455
1344	Declaring Saturday, October 3, 1992 as "Three Rivers Bass Classic Day" in the City	1458
1397	Acknowledging the restoration of the magnificent Columbus monument, symbolic of Pittsburgh's colorful spectrum of cultures and heritage	1485
1405	Declaring October 7 through November 7, 1992 as "Pittsburgh Pleasures Events Calendar" Month in the City	1493
1451	Declaring October 1, 1992 as "Allegheny County Commissioners Day" in the City	1526
1452	Declaring October 17, 1992 as "United States Junior Olmpics for Karate Day" in the City	1526
1477	Declaring October 23, 1991 as "Brookline Boy Scout Troop 6 Day" in the City	1568
1478	Declaring October 22, 23, and 24, 1992 as "Knights of Equity and Daughter of Erin Days" in the City	1569
1560	Declaring November 1, 1992 as "Our Lady of Victory Day" in the City	1716
1626	Proclaiming Tuesday, November 17, 1992 as "Sam Tiglio Day" in the City	1807

SENIOR CITIZENS

266	Rental of 2 charter buses for elderly city resitents to attend a lobbying effort in Harrisburg, PA, \$2,000.00	223, 285
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SEWAGE FACILITIES

242	Adopting Sewage Facilities Plan for Buncher Yacht Club	184, 296
243	Adopting Sewage Facilities Plan for Richard T. Ozanick Plan of Lots	184, 296
244	Adopting Sewage Facilities Plan for St. Margaret Memorial Hospital OutPatient Services Building	184, 296
245	Adopting Sewage Facilities fr Dearborn-Winbiddle Garden Apartments	184, 297

SEWAGE FACILITIES

BILL NO.	SUBJECT	PAGE
501	Sewage Facilities Plan for Baxendell South Side Project	471, 568
502	Sewage Facilities Plan for Rosemont Plan East Side of Beechwood Blvd., 14th Ward	471, 568
503	Sewage Facilities Plan for Frankstown Court Plan of Lots, 13th Ward	471, 568
692	Adopting Official Sewage Facilities for Allegheny County Jail and Pittsburgh Public Safety Complex	604, 717
693	Official Sewage Facilities Plan for Housemaster Beltzhoover Project	604, 717
842	Adopting Sewage Facilities for Naomi's Garden Plan of Property, 15th Ward	812
902	Official Sewage Facilities Plan for Allegheny City Square, 21st Ward	928, 998
1053	Construction of extension of 320 Feet of Public Sanitary Sewers on Schnuttgen Street, 26th Ward	1088, 1187
1054	Construction of 530 feet of Public Sanitary Sewers on Lebanon Street, 31st Ward	1088, 1188
1062	Sewage Facilities for The Heidish Plan of Lots, 20th Ward	1089, 1190
1063	Morewood Place Development, 8th Ward	1089, 1190
1064	Kennedy Street Townhouses, 26th Ward	1089, 1190
1713	Adopting Official Sewage Facilities Plan for Rehabilitation Institute of Pittsburgh	1918, 2001
1714	Adopting Official Sewage Facilities Plan for Glenn Hazel Heights Project PA-1-57	1918, 2001

SEWER LINES

1139	Director of Public Works to assign to KLS Development Company, a sewer line easement Summit Phase I Plan of Lots, 14th Ward	1217, 1265
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SMALL GAMES

1441	Declaring the Carnegie Institute a civic organization within the contexts of Pennsylvania Small Games of Chance Legislation	1632, 1684
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TRANSFER OF FUNDS

1	\$809,654.36 - To the General Fund of the City for reimbursement of Salaries and Indirect Costs for CDBG Program	23, 55
54	\$80,000.00 - From Confiscated Gambling Money Fund from the Confiscated Narcotics Proceeds Fund from the Drug Forfeiture Money Trust Fund from Property Tax Reduction Trust Fund to Firearms Redemption Trust Fund	30, 328
88	\$5,050.00 - From Code Acct. 1800, Salaries, Regular Employees to Code Acct 1818, Maintenance Wages and to Code Acct. 1828, Salaries & Wages, Dept. of Parks & Recreation	48, 132

TRANSFER OF FUNDS

BILL NO.	SUBJECT	PAGE
168	\$409,096.00 - From Code Acct. 1843, Dept. on Aging to Code Acct. SCPTF, Senior Citizens Program Trust Fund	126, 243
259	General Fund of the City for reimbursement of Salaries and Indirect Costs for CDBG	222, 337
307	\$1,000.00 - From Code Account No. 1001-2, Salaries and Wages to Code Account Graffiti Trust Fund	268, 372
320	\$115,725.56 - From Code Acct. SSFSP to Code Acct. SPP, Dept. of Parks & Recreation	271, 376
352	\$33,449.00 - From Code Acct. 1612-4, Salt to Code Acct. LFT, Dept. of Public Works	321, 412
449	\$8,000.00 - From Code Acct. 1838 Misc. Dept. of Parks to Code Acct. 1103, Dept. of City Planning	410, 474
486	\$31,300.00 - From Public Safety Pennfree Initiative to Code Acct. 1154-1, Dept. of General Services	469,
537	\$10,000.00 - From Code Acct. 1001-1, Misc. Services, Supplies Equipment, City Council to Code Acct. Lead Prevention Policy Commission	523, 608
609	\$75,000.00 - From Code Acct. 1977, Utilities, to Code Acct. 1976, Materials, Purification & Pumping, Dept. of Water	550, 639
687	Quarterly Basis funds form City County Integrated Identification System Project to the Community Communications Trust Fund, Bureau of Cable Communications	603, 691
688	\$1,839.21 - From Code Acct. 1001-2 District #3, Salaries & Wages As Needed to Code Account 1001-1, Misc. Services, Supplies, Equipment City Council	603, 641
708	\$75,000.00 - To Premium Pay, Code Acct. 1160-1 from Equipment Code Acct. 1175, Dept. of Environmental Services	632, 691
715	\$625,000.00 - From Code Acct. 1420-1, Premium Pay to EMS Trust Fund, Dept. of Public Safety	633, 757
751	\$51.59 - From Code Acct. 1001-2, District #8 Salaries and Wages to Code Acct. 1001-1, Miscellaneous Services	738, 814
800	\$20,000.00 - From Code Acct. 1066, From Code Acct. 1068, Lien Filing Fees to Code Acct. 1063, Miscellaneous Services, Dept. of Finance	777, 863
837	\$850,000.00 - From various code accounts to Code Acct. SSFSP, Dept. of Parks and Recreation	812, 949
896	\$440,000.00 - From Code Account 1545, Street Lighting, to Code Acct. 1608, Salaries and Wages, Dept. of Public Works	927, 990
899	\$25,000.00 - From the Aviary Rehabilitation Account and \$172,631 from the Aviary Trust Fund Transfer Account to the Aviary Trust Fund	928, 1013
976	\$250,000.00 - From C.A. 1977, Utilities, From C.A. 1927-9 and from C.A. 1926 to C.A. 1984 Repairs, Dept. of Water	1050, 1127

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BILL NO.	SUBJECT	PAGE
983	\$100,000.00 - From Code Account 1 to the Operation Weed and Seed Trust Fund	1051, 1128
987	\$45,211.00 - From Code Account 1420-9, Worker's Compensation to Code Account 1423, Equipment	1051, 1111
1036	From code Acct. 1420-1 to EMSTF, Bureau of EMS, Dept. of Public Safety	1086, 1178
1046	\$12,730.00 - From Code Acct. 1490, Dept. of Engineering to Code Acct. 1043, Miscellaneous Services, Mayor's Office CIS	1087, 1178
1047	From Konidaris-City Agreements Accounts to the Contractors Wage Rate Violations Trust Fund	1087, 1179
1109	\$98,000.00 - From code Acct. 47, Personal Leave Buy Back to Code Acct. 1128, Dept. of General Services	1196, 1231
1119	\$3,000.00 - From Code Acct. 1475-1 Premium Pay to Code Acct. 1478, Equipment, Dept. of Public Safety	1198, 1233
1141	\$63,000.00 - From Code Acct. 1144, Gasoline and Diesel Oil to Code Accounts within the Dept. of General Services	1217, 1263
1156	\$1,000.00 - From Code Acct. 1001-1, Misc. Services to Code Acct. 1006-9 Workers' Compensation, City Clerk	1230, 1295
1172	\$100,000.00 - To Environmental Services Premium Pay from Social Security Fund Code Account 57	1259, 1296
1173	\$5,000.00 - From Code Acct. 10 Accounts Payable - Prior Years to Code Acct. 1838, Misc. Services, Dept. of Parks and Recreation	1259, 1329
1186	\$9,000.00 - To Code Account 1045-9, Dept. of Mayor from Code Acct. 1044, Supplies	1261, 1331
1190	\$3,000.00 - From Code Acct. 1829, Misc. Services to Code Acct. 1828-1, Point State Park Premium Pay, Dept. of Parks and Recreation	1262, 1332
1193	\$60,000.00 - From Code Acct. 1402, Quartermaster to Code Acct. 1402-09, Workers' Compensation	1262, 1332
1208	\$33,000.00 - Into Code Account 1462, Miscellaneous Services from Code Acct. 1463, supplies and Materials	1284, 1379
1230	\$300,000.00 - From Code Acct. 1545, Street Lighting, Dept. of Public Works to Code Acct. 1154-1, Rental of Motorized Equipment, Dept. of General Services	1320, 1411
1231	\$420,830.00 - From Code Acct. 1922, Miscellaneous Services, Dept. of Water to Code Accts. 1132-5, 1132-2 and 1154-1, Dept. of General Services.	1320, 1411
1233	\$5,000.00 - From Code Acct. 10, Accounts Payable-Prior Years, to The Illegal Dumping Trust Fund	1320, 1412
1242	\$5,000.00 - From Code Acct. 1490, Equipment to Code Acct. 1484, Supplies and \$2,500.00 from Code Acct. 1490 to Code Acct. 1482, Miscellaneous Services, Dept. of Engineering and Construction	1321, 1414
1243	\$58,000.00 - From Code Acct. 30, Refunds and Interest - All Other Taxes to Code Acct. 1490-9 Workers' Compensation, Dept. of Engineering and Construction	1321, 1414

TRANSFER OF FUNDS

BILL NO.	SUBJECT	PAGE
1266	\$5,000.00 - From Code Account 10, Accounts Payable, Prior Years to Code Acct. 1838, Miscellaneous Services, Dept. of Parks and Recreation	1373, 1435
1270	\$5,000.00 - From Code Acct. 1046-1, Premium Pay, Controller Office and \$15,000.00 from Code Acct. 1172, Supplies and Materials	1374, 1435
1272	\$556,000.00 - From the 1992 CDBG Trust Fund, Code Acct. CDP, Housing Authority Recreation Salaries, to the General Fund of the City	1374, 1466
1294	\$4,500.00 - From Code Acct. 1632 Supplies to Code Acct. 1631, Misc. Services, Dept. of Public Works	1408, 1503
1297	\$90,000.00 - \$50,000.00 from Code Acct. 1150, Outside Repairs and \$40,000.00 from Code Acct. 1132-7 Utilities, to Code Acct. 1134, Misc. Services, Dept. of General Services	1409, 1504
1298	\$3,500.00 - From Code Acct. 10, Accounts Payable to Code Acct. 1838, Misc. Services, Dept. of Parks and Recreation	1409, 1467
1299	\$152,000.00 - From Code Acct. 1545, Street Lighting, Dept. of Public Works to Code Acct. 1075, Misc. Services, Dept. of law	1409, 1467
1300	\$150,000.00 - From Code Acct. 54, Group Insurance Plan - Municipal Employees to Code Acct. 1063, Misc. Services, Dept. of Finance	1409, 1504
1317	\$20,000.00 - From Code Acct. 1688, Recycling Services, to Code Acct. 1610, Misc. Services Dept. of Public Works	1461, 1505
1322	\$35,000.00 - \$10,000.00 from Code Acct. 10, Accounts Payable and \$25,000.00 from Code Acct. 1545, Street Lighting Contracts, Dept. of Public Works	1462, 1505, 1743
1333	\$1,500,000.00 - Into Code Acct. 1461-1, Premium Pay, Bureau of Fire of Public Safety from various code accts.	1464, 1507
1382	\$12,000.00 - From Code Acct. 1063, Misc. Services to Code Acct., 1128, Misc. Services, Dept. of General Services	1500, 1545
1389	\$3,500.00 - From Code Acct. 10, Accounts Payable, Prior Years to Code Acct. 1838, Misc. Service, Dept. of Parks & Recreation	1501, 1582
1406	\$50,000.00 - From Recycling Services, Public Works, Code Acct. 1688 to Environmental Services, Misc., Code Acct. 1176	1527, 1582
1411	\$30,000.00 - From Code Acct. 1612-5, Rental of Equipment to Code Acct 1500, Salaries, Regular Employees	1528, 1688
1412	\$20,000.00 - From Code Acct. 1688, Recycling Services to Code Acct. 1612-3, Booms and Broom Accessories	1528, 1688
1432	\$1,500.00 - To the Market Square Improvements Trust Fund, representing front funding for the restoration and renovations of Market Square	1531, 1690
1433	\$50,000.00 - From Code Acct. 1100, Misc. Services, Dept. of Personnel and Civil Service to Code Acct. 1493, Utilities-Traffic Control	1531, 1723

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BILL NO.	SUBJECT	PAGE
1492	\$107,000.00 - From Code Acct. 47, Personal Leave Buy Back to Code Acct. 44-1, Unemployment Compensation Fund, Dept. of Finance	1684, 1743
1496	\$12,000.00 - From Code Acct. 1064, Supplies and Materials, Dept. of Finance to Code Acct. 1066, Equipment, Dept. of Finance	1685, 1773
1507	\$2,000.00 - From Code Acct. 10 to Code Acct. 1838, Misc. Services, Dept. of Parks and Recreation	1686, 1743
1512	\$100,000.00 - From the Emergency Medical Services Reimbursed Events Trust Fund to the EMS Trust Fund	1687, 1778
1513	\$6,500.00 - From Code Acct. No. 1005-2, Printing Municipal Record, Office of City Clerk to Code Acct. No. 1006-9, Workers' Compensation, Office of the City Clerk	1687, 1744
1528	\$3,500.00 - From Code Acct. 10, Accounts Payable, Prior Years to Code Acct. 1103, Misc. Services, Dept. of City Planning	1716, 1820
1531	\$5,000.00 - From Code Acct. 1545, Street Lighting, to Code Acct. 1630 Salaries and Wages, Regular Employees, Dept. of Public Works	1716, 1778
1532	\$130,000.00 - To Environmental Services, Workers Compensation, Code Acct. 1165-9, from Public Works, Street Lighting, Code Acct. 1545	1716, 1778
1533	\$11,000.00 - From Code Acct. 1545, Street Lighting to Code Acct. 1611-1, Utilities, both accounts within the Dept. of Public Works	1717, 1820
1534	\$40,000.00 - From Code Acct. 1132-7, Utilities to Code Acct. 1132-9, Workers' Compensation, Dept. of General Services	1717, 1779
1537	\$215,000.00 - From Code Acct. 1977, Utilities, Dept. of Water to Code Acct. 1132-7, Natural Gas, Dept. of General Services	1717
1538	\$100,000.00 - From Code Acct. 1982, Misc. Services, Dept. of Water, to Code Acct. 1984, Repairs, Distribution Division, Dept. of Water	1717, 1821
1539	\$106,000.00 - From Code Acct. 1922, Misc. Services, Dept. of Water to Code Acct. 51, Postage, Dept. of Finance	1718, 1821
1540	\$50,176.05 - From Code Acct 1986, Materials, Dept. of Water to ARFT, Asphalt Reimbursement Trust Fund	1718, 1821
1544	\$9,000.00 - From various Code Acct. to Code Acct. 1052-9, Workers' Compensation, Controller's Office	1718, 1822
1549	\$19,671.40 - From Code Acct. SPP Special Parks Programs, Dept. of Parks & Recreation to Code Acct. SECRTF, Special Events Cost Recovery Trust Fund, Dept. of Public Safety	1719, 1823
1550	\$10,000.00 - From Code Acct. 1839, Misc. Services to Code Acct. 1800, Salaries, Dept. of Parks & Recreation	1719, 1823
1553	\$30,000.00 - From Code Acct. 54, Group Insurance plan from Code Acct. 1421, Misc. Services and from Code Acct. 1423 to Code Acct. 1420-9, Workmen's Compensation	1720, 1779

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1568	\$20,000.00 - From Code Acct. 1447-1, Canine Expenses, to Code Acct. 1443-6, In-Grade, Dept. of Public Safety	1771, 1846
1569	\$60,000.00 - From Code Acct. 1401, Misc. Services, from Code 1401-1, Education & Training and from Code Acct. 1405, Equipment to Code Acct. 1400-1 Administration Premium Pay	1771, 1846
1572	\$25,000.00 - From Code Acct. 1132-7, Utilities, Dept. of General Services to Code Acct. 1481, Salaries and Wages, Dept. of Engineering & Construction	1771, 1847
1583	To the General Fund of the City for reimbursement of Salaries and Indirect costs for the CDBG Program	1811, 1874
1585	\$110,000.00 - From Code Acct. 1132-2, Telephone Services to Code Acct. 1128, Misc. Services both account in the Dept. of General Services	1811, 1847
1597	\$295,000.00 - From various Code Accounts to Code Acct. 1046, Salaries and Wages, Controller's Office	1812, 1848
1600	\$75,000.00 - From various code accounts in Pittsburgh Magistrates Court and the Dept. of General Services to Code Acct. 1022, Salaries, Regular and Temporary Employee	1813, 1870
1607	\$200,000.00 - From Code Acct. 45, Health Insurance, Municipal Employees to Code Acct. BBITF, Dept. of Public Safety	1814, 1870
1608	\$400,000.00 - From the Emergency Medical Services Trust Fund to Code Acct. 45, Health Insurance-Municipal Employees	1814, 1870
1628	\$230,000.00 - From Code Acct. No. 46, Judgements and Interest on Judgments, Law Dept. to Code Acct. 1177, Environmental Services	1832, 1870
1629	\$75,000.00 - From various Code Acct. to CodeAcct. 1501, Premium Pay, all within the Dept. of Public Works	1832, 1870
1638	\$340,000.00 - From the following Accounts: Code Acct. 1132-5, Dept. of General Services, Radio Improvements, Code Acct. 1100, Dept. of PCSC, Code Acct. 30, Finance Dept., Refunds and Interest, Code Acct. 41, Real Estate Refunds to Code Acct. 49, Sewage Service Charges - ALCOSAN	1834, 1871
1639	\$5,000.00 - From Code Acct. 1061, Salaries, Temporary Employees to Code Acct. 1061-1, Premium Pay, Finance Department	1834, 1872
1640	\$35,000.00 - From Code Acct. 1978, Chemicals Dept. of Water to Code Acct. 47, Personal Leave Buyback, Dept. of Finance	1834, 1872
1665	\$450,000.00 - From various code acct. to Code Acct. 1443-4, Premium Pay, Bureau of Police	1868, 1942
1666	\$8,500.00 - From Code Acct. 1421-1 EMS Travel to Code Acct. 1421, Misc. Services, Bureau of EMS	1869, 1942
1691	\$50,000.00 - From Code Acct. 1167, Wages, Regular Employees, Dept. of Environmental Services to Code Acct. 1608, Salaries and Wages, Regular Employees, Dept. of Public Works	1914, 1943

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1696	\$455,000.00 - From various Code Acct., Dept. of Water to Code Acct. 1926, Municipal Obligations for Non-City Water, Dept. of Water	1915, 1948
1697	\$100,000.00 - From Code Acct. 1927-9, Workers' Compensation, Administration Division, to Code Acct. 1977, Utilities, Purification and Pumping, Dept. of Water	1915, 1948
1699	\$75,000.00 - From Code Acct. 51, Postage to Code Acct. 57, Social Security Fund	1915, 1949
1725	\$3,468.00 - From Code Acct. 1103-1, Education & Training, City Planning to Code Acct. 1106, Equipment, Dept. of City Planning	1935, 1984
1726	\$50,000.00 - From Code Acct. 1160 - Salaries, Regular Employees, Dept. of Environmental Services to Code Acct. 1501, Premium Pay, Dept. of Public Works	1935
1726	\$50,000.00 - From Code Acct. 1160, Salaries, Regular Employees, Dept. of Environmental Services to Code Acct. 1501, Premium Pay, Dept. of Public Works	1935, 1984
1735	\$146,448.09 - From Code Acct. SSFSP, Special Summer Food Service Program Trust Fund to Code Acct. SPPTF, Special Parks Programs, Dept. of Parks & Recreation	1936, 1986
1736	\$24,500.00 - To Code Acct. 1853, Utilities, Pittsburgh Zoo from Code Acct. 1852, Misc Services	1936, 1987
1737	\$850,000.00 - To various Code Accounts from Code Acct. SSFSP, Special Summer Food Service Program Trust Fund	1937, 1987
1752	\$8,000.00 - From Code Acct. 1132-7, Utilities, Dept. of General Services to Code Acct. 1165-9 Workers' Compensation, Dept. of Environmental Services	1980, 2022

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29	Establishing Retiree's Pension Trust Fund	27, 50
30	Retirees Additional Benefits Trust Fund	27, 50
56	City Controller special trust fund as the Firearms Redemption Trust Fund, Dept. of Public Safety	30, 349
96	City Controller special trust fund as PA Emergency Management Agency Trust Fund	49, 167
185	Federal Street Business Improvement District Trust Account	177, 430
241	Trust fund known as Civic Arena Trust Fund for maintenance work with existing City contracts,	184, 296
342	Special trust fund as the Lead Prevention Policy Commission Trust Fund	319, 376
499	Special Trust Fund known as "Schenley Park Bridge"	471, 566
525	Establishing Retirees Additional Benefits Trust Fund	521
825	Public Works to sell reclaimed asphalt stored at Heth Run, all monies collected are to be deposited into Asphalt Reimbursement Trust Fund	810, 951

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898	Supplementing Res. No. 13, Establishing Retirees Additional Benefits Trust Fund	927, 1415
1045	Special trust fund for Contractors Wage Rate Violations	1087, 1178
1194	Create special trust fund designated as 911 Emergency Telephone Act Trust Fund collection of User Fees for 911 service	1262, 1347, 1390
1418	Authorizing the Director of the Dept. of Finance and the City Controller to deposit any all proceeds from the sale of real property known as Baywood and the King Estate to Highland Park Trust Fund	1529
1463	Special trust fund as the Maurice Falk Medical Trust Fund	1571, 1727
1605	Designating a special trust fund for the Pittsburgh Zoo, Amedning No. 1028/1991	1813, 1883
1609	Creating Special Trust Fund designated the Bureau of Building Inspection Trust Fund	1814, 1888
UNNAMED WAY		
1378	Naming and Unnamed Way, laid out inf the Perry Park Plan of Lots, Roosevelt Way	1499, 1584

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BILL NO.	SUBJECT	AMOUNT	PAGE
1689	3M Company	\$1,766.94	1913, 1943
1663	A.C. Miller Concrete Products	\$13,074.00	1868, 1941
1210	ADVO Systems, Inc.	\$2,750.00	1284, 1380
1240	Air Safe Maintenance, Inc.	\$17,190.00	1321, 1414
1458	Alan Brunner	\$1,800.00	1570, 1726
357	Alex Scott & John Gismondi	\$30,000.00	322, 413
1324	Alfred and Genevieve Mann	\$790.00	1462, 1533
618	Alice Whitfield, Muncy Wilbert	\$2,135.54	552, 640
928	Allegheny Business Machines	\$620.00	975, 1053
1704	American Rent A Ride	\$6,300.00	1916, 1983
1229	Andrea J. Collins	\$200.00	1319, 1380
1263	Andy Sinclair	\$500.00	1372, 1435
1661	Anthony Aurette	\$1,000.00	1868, 1920
1426	Anthony H. Culmer, Sr.	\$2,275.00	1530, 1688
733	Arthur I. Young	\$2,000.00	683, 758
978	Arthur I. Young	\$2,000.00	1050, 1110

WARRANTS

BILL NO.	SUBJECT	AMOUNT	PAGE
1182	Arthur I. Young	\$1,000.00	1260, 1183
1731	Arthur I. Young	\$4,000.00	1936, 1985
679	Barbara & Anthony Mozick	\$30,000.00	601, 689
1325	Barbara A. Cinea	\$1,050.00	1462, 1534
1032	Barbara Sollenberger	\$7,500.00	1085, 1163
734	Betty A. Strambler	\$1,7500.00	683, 784
834	Betty Butler	\$1,307.40	811, 1053
1584	Buncher Management Agency, Inc	\$110,000.00	1811, 1847
1494	Camella M. Ford, Page 1839	\$45,000.00	1684, 1773
60	Campbell Horigan Studios	\$1,500.00	31, 53
1209	Carnegie Library of Pgh.	\$1,280.60	1284, 1380
1511	Casciato Brothers	\$13,722.00	1687, 1778
1431	Casper Colosimo & Son	\$60,000.00	1531, 1690
1711	Casper Colosimo & Son, Inc.	\$23,716.60	1917, 1984
1459	Cecil Audain	\$1,125.00	1571, 1726
1026	Charles R. Latus	\$1,200.00	1084, 1130
1643	Chase Ponti	\$5,000.00	1834, 1919
1694	Christopher Plumtree	\$500.00	1914, 1943
877	Church of St. Lawrence O'Toole	\$750.00	862, 989
43	Clement P. Martinez	\$900.00	29, 98
75	Commonwealth of PA	\$538.81	46, 101
452	Commonwealth of PA	\$4,456.02	410, 475
453	Commonwealth of PA	\$10,363.94	410, 475
617	Computer Tech	\$887.50	552, 640
1712	Conrail	\$598.74	1918, 1984
488	Consolidated Rail Corporation	\$295.30	469, 554
1042	Consolidated Rail Corporation	\$1040.20	1086, 1164
1644	Crag and Carmelita Korbett	\$2,000.00	1834, 1919
674	CSX Corporation	\$7,199.56	601, 689
1571	CSX Railroad	\$316.49	1771, 1846
1038	CSX Transportation	\$278.03	1086, 1163
1154	David Brown	\$500.00	1229, 1264
1495	David Taclet	\$1,125.00	1684, 1773
1079	DeBolt Unlimited Travel, Inc.	\$698.00	1125,
1703	Deborah & James Harper	\$7,000.00	1916, 1982
1727	Debra E. Iszau	\$4,000.00	1935, 2021
28	Delaney Jackson	\$200.00	26, 49
483	Diane C. Debra & Paul Giba	\$4,000.00	468, 553
44	Dickie, McCamey & Chilcote Pc	\$65,000.00	29, 98
713	Doris Fontana & Francis Carey	\$3,250.00	633, 784
798	Doris Jean Froelicher	\$900.00	777, 863
162	Doris Johnson	\$17,000.00	125, 242
872	Duquesne Light Company	\$3,000.00	861, 988

WARRANTS

BILL NO.	SUBJECT	AMOUNT	PAGE
929	Duquesne Light Company	\$3,946.81	974, 1053
930	Duquesne Light Company	\$5,243.79	974, 1053
931	Duquesne Light Company	\$3,168.95	974, 1053
1114	Duquesne Light Company	\$1,182.14	1197, 1232
1115	Duquesne Light Company	\$1,250.00	1197, 1232
1207	Duquesne Light Company	\$935.79	1283, 1379
1235	Duquesne Light Company	\$1,351.79	1320, 1413
1424	Duquesne Light Company	\$2,203.02	1530, 1688
1425	Duquesne Light Company	\$931.38	1530, 1688
163	Edward & Marie Boykin	\$12,000.00	125, 242
1728	Edward J. Glad	\$4,500.00	1935, 2022
1189	Edward M. Vasilcik	\$100,000.00	1261, 1332
835	Edward Shook, Sr.	\$18,225.37	812, 949
981	Eligible Employees		1050, 1128
76	Equibank	\$10,000.00	47, 128
1707	Equibank International	\$10,000.00	1917, 1983
871	Florence T. Osley	\$5,000.00	861, 988
712	Franklin Heemer & David Martin	\$6,250.00	633, 783
1642	Fred Valentino	\$2,413.00	1834, 1919
479	G.E. Supply	\$1,412.60	468, 553
1043	GAI Consultants, Inc.	\$20,206.74	1086, 1164
1541	Garl & Paulette Germany	\$1,125.00	1718, 1844
40	GBM Pittsburgh, Inc.	\$920.00	28, 98
209	Gene Ricciardi	\$1,020.00	180, 243
425	General Binding Corp.	\$1,267.47	369, 473
1267	Government Finance Group, Inc.	\$2,000.00	1373, 1465
1462	Government Finance Officers	\$1,495.00	1571
1543	Government Finance Officers	\$3,495.00	1718, 1821
1599	Government Finance Officers	\$3,455.00	1813, 1869
1142	Grover Grayson, Jr.	\$4,500.00	1217, 1295
199	Healy, Davidson & Hornack	\$498.00	179, 271
1688	Helen Hull	\$2,000.00	1913, 1942
836	Holiday Inn Inner Harbor	\$1,092.00	812, 949
844	Howard Hanna	\$1,200.00	813, 950
1044	Howard Hanna Appraisal Div.	\$2,000.00	1086, 1165
847	James E. Rooney	\$640.00	813, 866
1065	James E. Rooney	\$6,000.00	1089, 1065
1212	James E. Rooney	\$540.00	1284, 1333
1275	James E. Rooney	\$3,000.00	1375, 1466
833	James R. Ramsey	\$50,000.00	811, 945
1652	James Rooney	\$3,000.00	1836, 1872
1185	Jane E. Stasny	\$5,000.00	1261, 1330
41	Joel Rishel	\$870.00	29, 98

WARRANTS

BILL NO.	SUBJECT	AMOUNT	PAGE
164	Pittsburgh Plate Glass, Inc.	\$1,584.54	126, 242
87	Pittsburgh Symphony	\$35,000.00	48, 412
1733	Port Authority	\$101,859.93	1936, 1986
59	Public Strategies	\$1,600.00	31, 53
157	Public Strategies	\$2,999.00	125, 233
536	Public Strategies	\$1,600.00	523, 608
760	Public Strategies	\$1,600.00	740, 815
170	Public Strategies, Inc.	\$1,600.00	126, 243
402	Public Strategies, Inc.	\$1,600.00	328, 415
451	Public Strategies, Inc.	\$1,000.00	410, 523
827	Public Strategies, Inc.	\$1,000.00	810, 945
901	Public Strategies, Inc.	\$1,600.00	928, 1013
924	Public Strategies, Inc.	\$1,000.00	973, 1053
1037	Public Strategies, Inc.	\$1,600.00	1086, 1163
1111	Public Strategies, Inc.	\$2,000.00	1197, 1232
1122	Public Strategies, Inc.	\$1,600.00	1199, 1234
1232	Public Strategies, Inc.	\$1,000.00	1320, 1412
1381	Public Strategies, Inc.	\$1,000.00	1500, 1581
1388	Public Strategies, Inc.	\$1,600.00	1501, 1582
1469	Public Strategies, Inc.	\$1,600.00	1572, 1691
1536	Public Strategies, Inc.	\$1,000.00	1717, 1820
1554	Public Strategies, Inc.	\$1,600.00	1720, 1823
1710	Public Strategies, Inc.	\$1,600.00	1917, 1960
433	Pugliano Construction Company	\$6,844.38	371, 474
1460	Ralph Proctor	\$1,305.00	1571, 1726
758	Regina Raynor	\$9,000.00	739, 814
274	Richard & Rosalie Larus	\$15,000.00	225, 334
678	Robert & Rose Gitzen	\$12,940.68	601, 689
873	Robert & Vivan Morgan	\$80,000.00	862, 1013
1116	Roger C. Peters, 1332	\$25,000.00	1197, 1285
422	Roger Weaver & James Villanova	\$6,250.00	369, 472
1234	Sacred Heart Church	\$1,974.00	1320, 1412
870	Sala Udin Consultants	\$1,000.00	861, 988
1183	Samuel Howze	\$1,000.00	1260, 1297
1421	Samuel Howze	\$2,000.00	1529, 1583
1698	Samuel Howze	\$1,600.00	1915, 1948
1730	Samuel Howze	\$2,000.00	1935, 1985
1636	Samuel Howze & Sala Udin	\$2,600.00	1833, 1871
1383	Sandra Flaherty	\$20,000.00	1500, 1581
311	Sedgiwick James and Company	\$108,333.40	269, 374
356	Seth J. & Stephanie Spaulding	\$20,000.00	322, 413
1326	Shiloh Com. Baptist Church	\$1,650.00	1462, 1534
1564	Sirley Blackmon	\$854.36	1770, 1845

WARRANTS

BILL NO.	SUBJECT	AMOUNT	PAGE
714	St. Margaret's Hospital	\$1,980.00	633, 757
1461	St. Stephens Church	\$1,417.50	1571, 1726
1039	Stadium Authority	\$500,000.00	1086, 1164
615	Stanley M. Stein	\$160,000.00	551, 639
874	Steel Valley Authority	\$1,295.50	862, 988
475	Strategic Computer Assistance	\$5,500.00	467, 553
1041	Swank Sign Erection, Inc.	\$1,850.00	1086, 1164
161	Swensen Perer & Johnson	\$137,500.00	125, 234
1040	Tedesco and Son, Inc.	\$32,552.16	1086, 1164
1732	Temps, Inc.	\$1,721.00	1936, 1986
694	The Walter H. Drane Company	\$12,201.68	604, 691
160	Thomas & Esther Wasielewski	\$20,000.00	125, 234
423	Thomas R. & Maryann Moore	\$963.00	369, 472
956	Three Rivers Shakespeare	\$15,000.00	1012, 1094
484	Timothy Wolfe & Emil Pecori	\$100,000.00	468, 554
1457	Trimont Residential Condo	\$1,175.00	1570, 1726
1332	Turner Equipment Company	\$1,186.48	1463, 1573
1241	U.S. Nuclear Regulatory Com.	\$2,250.00	1321, 1414
1662	U.S. Nuclear Regulatory Com.	\$2,250.00	1868, 1941
954	Urban Redevelopment Authority	\$149,936.00	101,1105,599
77	Various Insurance Companies	\$40,000.00	47, 128
1030	Various Media Sources	\$50,000.00	1084, 1131
616	Victoria Coppler	\$22,500.00	552, 640
480	W.C. Weil Company	\$1,956.00	468, 553
982	Walter & Shirley Heintzinger	\$11,500.00	1051, 1128
1028	Weed Task Force	\$25,000.00	1084, 1130
1211	West Penn Billiard & Trophy	\$1,708.02	1284, 1380
481	Westinghouse Electric Corp.	\$995.00	468, 553
1765	William Lowman	\$3,000.00	2018

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXVI

January 6, 1992

No. 1

Municipal Record

ONE-HUNDRED TWENTY-SEVENTH COUNCIL

JACK WAGNER President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER.... Asst. City Clerk

Pittsburgh, PA
Monday, January 6, 1992

Mr. Perry (Chairman Pro-tem):

This being the day and hour fixed by the Act of Assembly of the Commonwealth of Pennsylvania and the Pittsburgh Home Rule Charter for the organization of the Council of the City of Pittsburgh, the One Hundred Twenty-Seventh Council will be in order.

Before proceeding, I would like to call on Michelle Madoff and Dr. Jake Milliones to please escort Mayor Masloff into the Chambers.

We will now rise for the Pledge of Allegiance to the Flag.

I pledge allegiance to the Flag of the United States of America and in the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

Mr. Perry (Chairman Pro tem):

We are honored this morning to have with us Father John M. O'Toole, Pastor of St. Mary of Mercy Church, who will deliver the invocation.

Father O'Toole:

Let us pray. Almighty and Eternal God, through you authority is rightly administered, laws are enacted, and judgment is decreed. Assist with your spirit of counsel and fortitude the new Members of the Council of the City of Pittsburgh.

May they be effective witnesses of your compassion to all whose lives they will touch as public servants.

May they, along with their peers, execute laws with justice and mercy.

May they seek to preserve peace, promote happiness, and continue to bring us the blessings of liberty and equality.

We pray to you, our Lord and God, forever and ever. Amen.

Mr. Perry (Chairman Pro tem):

The first order of business will be the presentation of the Certificates of Election.

Mr. Perry presents

No. 1 Certificate of Election

We, the undersigned, constituting the Return Board of the County of Allegheny do hereby certify that the Election held on the Fifth Day of November, 1991, in said County

Duane A. Darkins

was duly elected to the Office of

**Member of Council
Four Year Term**

for

City of Pittsburgh, Council District 9

in the County of Allegheny,
Commonwealth of Pennsylvania

Witness our hands and seal this Twenty-Fifth Day of November, 1991.

**David S. Cercone
Cynthia A. Baldwin
Lee J. Mazur**

**Judges in the Court of Common Pleas
Constituting the Board of Elections
of the County of Allegheny, Pennsylvania**

Also,

No. 2 Certificate of Election

We, the undersigned, constituting the Return Board of the County of Allegheny do hereby certify that the Election held on the Fifth Day of November, 1991, in said County

Jim Ferlo

was duly elected to the Office of
**Member of Council
Four Year Term**

for

City of Pittsburgh, Council District 7

in the County of Allegheny,
Commonwealth of Pennsylvania

Witness our hands and seal this Twenty-Fifth Day of November, 1991.

**David S. Cercone
Cynthia A. Baldwin
Lee J. Mazur**

**Judges in the Court of Common Pleas
Constituting the Board of Elections
of the County of Allegheny, Pennsylvania**

Also,

No. 3 Certificate of Election

We, the undersigned, constituting the Return Board of the County of Allegheny do hereby certify that the Election held on the Fifth Day of November, 1991, in said County

Bob O'Connor

was duly elected to the Office of

**Member of Council
Four Year Term**

for

City of Pittsburgh, Council District 5

in the County of Allegheny,
Commonwealth of Pennsylvania

Witness our hands and seal this Twenty-Fifth
Day of November, 1991.

David S. Cercone
Cynthia A. Baldwin
Lee J. Mazur

Judges in the Court of Common Pleas
Constituting the Board of Elections
of the County of Allegheny, Pennsylvania

Also,

No. 4 Certificate of Election

We, the undersigned, constituting the Return
Board of the County of Allegheny do hereby
certify that the Election held on the Fifth Day of
November, 1991, in said County

Dan Onorato

was duly elected to the Office of

**Member of Council
Four Year Term**

for

City of Pittsburgh, Council District 1

in the County of Allegheny,
Commonwealth of Pennsylvania

Witness our hands and seal this Twenty-Fifth
Day of November, 1991.

David S. Cercone
Cynthia A. Baldwin
Lee J. Mazur

Judges in the Court of Common Pleas
Constituting the Board of Elections
of the County of Allegheny, Pennsylvania

Also,

No. 5 Certificate of Election

We, the undersigned, constituting the Return
Board of the County of Allegheny do hereby
certify that the Election held on the Fifth Day of
November, 1991, in said County

Gene Ricciardi

was duly elected to the Office of

**Member of Council
Four Year Term**

for

City of Pittsburgh, Council District 3

in the County of Allegheny,
Commonwealth of Pennsylvania

Witness our hands and seal this Twenty-Fifth
Day of November, 1991.

David S. Cercone
Cynthia A. Baldwin
Lee J. Mazur

Judges in the Court of Common Pleas
Constituting the Board of Elections
of the County of Allegheny, Pennsylvania

Which were read, received and filed.

Mr. Perry (Chairman Pro tem):

The next order of business will be the
swearing in ceremony.

We are honored to have with us this morning The Honorable Sophie Masloff, Mayor, City of Pittsburgh, who will administer the Oath of Office to Duane A. Darkins.

Mayor Masloff:

Councilman Darkins, this gives me a great deal of pleasure. Will you please repeat after me and raise your right hand?

Mr. Darkins:

I, Duane Darkins, do solemnly swear that I will support the Constitution of the United States and of this State and the Charter of this City and that I will faithfully discharge the duties of office to the best of my ability.

Mr. Perry (Chairman Pro tem):

We also have with us The Honorable Michael F. Coyne, Prothonotary of Allegheny County, who will administer the Oath of Office to Jim Ferlo.

Mr. Coyne:

It gives me great pleasure to be here today in my new role and capacity to swear in my buddy, Jim Ferlo.

Mr. Ferlo:

I, Jim Ferlo, do solemnly swear that I will support the Constitution of the United States and of this State and the Charter of this City and that I will faithfully discharge the duties of office to the best of my ability.

Mr. Perry (Chairman Pro tem):

Also, with have with us The Honorable Nathan Schwartz, Senior Judge, Court of Common Pleas, who will administer the Oath of

Office to Bob O'Connor.

Judge Schwartz:

In all my years of public service, I have never had a greater pleasure than today swearing in my dear friend, Bob O'Connor.

He is a real pleasure, he is a real businessman, he's a real politician and, most importantly, he's a good citizen of Pittsburgh which will add a real dimension to an already favorable Council.

The Mayor is very fortunate to have Bob O'Connor on her team and I know that on behalf of all of his friends in Pittsburgh, and in the district, we all are looking forward to great things from Bob O'Connor.

Mr. O'Connor:

I, Bob O'Connor, do solemnly swear that I will support the Constitution of the United States and of this State and the Charter of this City and that I will faithfully discharge the duties of office to the best of my ability.

Mr. Perry (Chairman Pro tem):

Also, The Honorable Robert P. Ravenstahl, District Justice of the 26th & 27th Wards of the City of Pittsburgh, who will administer the Oath of Office to Dan Onorato.

Justice Ravenstahl:

Before I begin, I really want to take this opportunity to thank Dan. This is a heck of an opportunity for someone as a District Justice from the North Side to be here and I'm very honored to be able to perform this ceremony for Dan. And on behalf of his wife, Shelly, their daughter, Katie, and the rest of the Onorato family, we welcome everybody here today.

Mr. Onorato:

I, Dan Onorato, do solemnly swear that I will support the Constitution of the United States and of this State and the Charter of this City and that I will faithfully discharge the duties of office to the best of my ability.

Mr. Perry (Chairman Pro tem):

Also, The Honorable Anna Marie Scharding, District Justice of the 18th & 30th Wards and the Borough of Mount Oliver, who will administer the Oath of Office to Gene Ricciardi.

Justice Scharding:

Like Mr. Ravenstahl had said, it's a great honor and a privilege to be able to swear a Member of City Council in, especially since it's my good friend, Gene.

My only regret is that his mother couldn't be here but we're using her Bible so I'm sure she's here in spirit.

Mr. Ricciardi:

I, Gene Ricciardi, do solemnly swear that I will support the Constitution of the United States and of this State and the Charter of this City and that I will faithfully discharge the duties of office to the best of my ability.

Mr. Perry (Chairman Pro tem):

Being that the newly elected and re-elected Members of Council have been duly sworn in, the Clerk will call the roll.

PRESENT:

Mr. Cohen

Mr. O'Connor

Mr. Darkins

Mr. Ferlo

Michelle Madoff

Mr. Millions

Mr. Onorato

Mr. Ricciardi

Mr. Wagner

Mr. Perry (Chairman Pro tem):

The next order of business is the nomination and election of the President of Council.

Nominations are now in order. What is your pleasure?

Mr. Millions:

Mr. Clerk, I move that Jack Wagner's name be placed in nomination for President.

Mr. Perry (Chairman Pro tem):

Mr. Wagner has been nominated.

Any more nominations? Any more nominations? Any more nominations?

I entertain a motion to close nominations.

Mr. Millions:

So moved.

Mr. Ferlo seconded the motion.

WHICH MOTION PREVAILED.

Mr. Perry (Chairman Pro tem):

The Clerk will call the roll on the election of Jack Wagner as President of the Council of the City of Pittsburgh.

AYES:

Mr. Cohen

Mr. Millions

Mr. Darkins Mr. O'Connor
Mr. Ferlo Mr. Onorato
Michelle Madoff Mr. Wagner

AYES 8 NOES none

(MR. RICCIARDI ABSTAINING)

Mr. Perry (Chairman Pro tem):

Mr. Wagner has been elected.

Mr. Ferlo:

Motion to move acclamation.

Mr. Cohen seconded the motion.

Mr. Ricciardi:

I abstain.

Mr. Perry (Chairman Pro tem):

And there not being a unanimous vote of Council, the motion was defeated.

Next, the Honorable Joan Melvin, Judge, Court of Common Pleas, will administer the Oath of Office to the President of Council.

Will Mr. Wagner approach the Chair.

Judge Melvin:

It is my honor and privilege to swear in the President of City Council, Jack Wagner. He has always been a very good friend of mine and as former Chief Magistrate for the City of Pittsburgh he has been very supportive of the programs I instituted in domestic violence and in community service. He made that a very positive experience for me and I'm glad to swear him in today.

Mr. Wagner:

I, Jack Wagner, do solemnly swear that I will support the Constitution of the United States and the Constitution of the Commonwealth of Pennsylvania and the Charter of this City and that I will faithfully discharge the duties of office to the best of my ability.

Mr. Perry (Chairman Pro tem):

Members of Council, ladies and gentlemen, may I present to you Jack Wagner, President of the Council of the City of Pittsburgh.

The Chair:

Thank you, ladies and gentlemen. Thank you, Mr. Perry.

A person that many people don't know, Mr. Perry, but he has done an exceptional job here in City Council, and my colleagues certainly know this very well, for the past 17 years as City Clerk. He has been a real stabilizing force in this Council, even during difficult times.

Thank you, Judge Melvin, for swearing me in today. The former Chief Magistrate of the City of Pittsburgh and recently sworn in to a full term to the Court of Common Pleas of Allegheny County. I'm honored to have her swear me in today, along with her future twins that she is carrying. Thank you, Judge.

The various members of the Clergy that are here today, particularly Father O'Toole, Pastor of St. Mary's Church here in Downtown Pittsburgh. Father, we're honored to have you here for the invocation.

Reverend Simms, who will be giving the benediction later. Truly a dedicated public servant in many ways here in the City of Pittsburgh.

The other honorable members of the judiciary that are with us today, welcome to City Council.

Mayor Masloff, who is with us. We are delighted, Mayor, for you to be here today. And the Mayor will be addressing all of us soon.

Michael Coyne, the new Prothonotary of Allegheny County sworn in at 9:00 a.m. this morning, and a former Member of Pittsburgh City Council. Michael, we're delighted to have you here.

And the many other honored guests. I have noticed several. We have the Controller of the City of Pittsburgh, Tom Flaherty, with us here today.

We also have with us Jean Milko, the Jury Commissioner of Allegheny County. We're delighted to have you here.

And I see State Representative Frank Gigliotti who is with us in the crowd.

There may be others. If there are, I'll recognize you later if I notice you're here. But we're honored to have all of you here today.

We're honored to have the families of my colleagues, and my own, and the various friends that have strong supporters of all of us to be here and to get here today.

Most importantly, my colleagues on City Council. Councilman Cohen. Councilman Darkins. Councilman Ferlo. Councilwoman Madoff. Councilman Milliones. Councilman O'Connor. Councilman Onorato. Councilman Ricciardi. I am truly honored and dignified that all of you have elected me as your Council President.

I said two years ago, standing right here, that we had a real task in front of us to professionalize this Council. I believe the past Council has done that and I am certain that the two new colleagues on Council, Councilman O'Connor and Councilman Onorato, bring along the desire and the ability to help make this an even better Council than the previous Council.

For the relatively new Council by District, this is the beginning of the second legislative session of Council by District. I think it's important now to hear from the five newly elected Members of Pittsburgh City Council to address all of you.

It's a great honor for me to introduce from Council District 9 a person who truly cares about people. Councilman Duane Darkins.

Mr. Darkins:

I won't bore you today. I realize I'm not in Church so I won't bore you.

I would like to say, as I said at our swearing in ceremony in the 9th Council District at the Coliseum, that I'm looking forward to in my next four years serving here in the City of Pittsburgh, not only in the 9th Council District but to its fullness to carry out the Mayor's Executive Order in regards to the 25 percent for minorities and 10 percent for women. I stand behind that Executive Order to its fullness. And as I've said in Homewood in the Coliseum, and the news media were there, I will be the watchdog to make sure that that's carried out.

I thank you for your support.

The Chair:

Thank you, Councilman Darkins.

It's now a great honor for me to introduce

the newly elected Councilmember from Council District 7, a real workaholic within City Council. Councilman Jim Ferlo.

Mr. Ferlo:

Thank you, President Wagner, and congratulations.

To all of my friends and family and supporters who are here today, and to a lot of the elected officials some of whom Jack has pointed out, I just want to say good morning and best wishes for the New Year. It's an honor and privilege to take the Oath of Office today and to have the opportunity to continue my service to the residents of the City of Pittsburgh.

I extend my warmest thanks to the voters of Council District 7, the residents of Polish Hill and Lawrenceville, Morningside and Stanton Heights, Garfield and Highland Park, Bloomfield, and I see Janet here, and East Liberty, who have again given me their overwhelming vote of confidence.

I look forward to continuing my work for and with the residents of Council District 7, whether it be building playgrounds or organizing community parades, cleaning up vacant lots, assisting Block Watch committees and merchant organizations, or enhancing the delivery of municipal services to residents of our City.

There is no doubt that the most satisfying aspect of this work is meeting and building relationships with people in the communities, the Block Captains, community and merchant leaders, community activists of all sorts, the people who really are committed to their community and to our City, the people who get involved and spend their time and their energies for the benefit of all.

Congratulations to the new Members of

City Council, Dan Onorato and Bob O'Connor, and to my colleagues, Mr. Ricciardi and Bishop Darkins on their overwhelming re-election. I welcome our new members and I wish you the best of luck and I look forward to working with you.

I was a long time advocate of changing the manner in which we elect City Council, and I believe the change to electing Councilmembers by District has produced a more effective, cooperative and accountable legislative body.

As the Councilmembers who have been here can attest, I pledge to work hard and creatively with all Councilmembers to improve the quality of life for our residents. I will continue to sponsor resolutions and ordinances and legislative amendments that address the important issues facing our City. I look forward to working with all of you to ensure that City Council continues to be an open and accountable legislative body with lively debate and dialogue on hundreds of decisions that we have to make.

Pittsburgh is truly a great American city; however, we are not without our problems. I will continue to point out this Administration's inability to properly manage our City, and nowhere is this more glaring and evident than the so-called reorganization of the Fire Bureau.

I will continue to advocate on behalf of the people of Pittsburgh for greater public safety, for more police protection, for an effective and efficient Fire Bureau.

I will continue to advocate for supporting community and economic development initiatives.

I will continue to advocate for preserving and promoting the quality and character of our communities.

I will continue to advocate for the most needy of our City, to alleviate hunger in our City, to improve the quality of affordable housing.

The people of Pittsburgh truly possess the creativity, the ability and the perseverance to tackle any obstacles that we may face, and I look forward to your friendship and your continued support. Thank you very much.

The Chair:

Thank you, Councilman Ferlo.

It's now a great honor to introduce one of the two newly elected Members of Pittsburgh City Council. From Council District 5, Councilman Bob O'Connor.

Mr. O'Connor:

Thank you, Mr. President, Mayor Masloff, members of the Clergy, Judges and many honored guests.

I first want to thank all the voters who sent me here. It includes a very big district, Squirrel Hill, Greenfield, Lower Greenfield, the Run, Hazelwood, across the tracks in Hazelwood where I got 99 percent of the votes -- and we're still looking for the two or three people who didn't vote for me -- Hays, Glen Hays, Lincoln Place, Swisshelm Park and Point Breeze.

As all of you know, this election starts way before Election Day. For me, it started about a year and a half ago when I started talking to my friends, relatives, business associates, about what they thought of me running for Council. Not one said, "Don't do it." And that was probably a sign of good things to come. They were so positive and ensured me to pursue my motivation.

I opened an office just one year ago today, and I hired my Campaign Manager, Robin

Bernstein. Robin, will you please stand up? She brought together a whole bunch of rookies.

As you heard, it's a very diverse neighborhood and a very great neighborhood. I was an unknown name and helping us to promote my name and put it all over the City -- we may change my birth certificate to "Of Course, O'Connor" -- was Ray and Larkin Warner. I don't know if they're here or not but I publicly want to thank them. Ray is here? Thank you very much, Ray, for making me a public name.

The workers, it's a tremendous accomplishment we did. My aunts, uncles, friends, friends from high school came together, and spent hours on telephone calls. In the primary election we made four drops; that is, delivering mail to every Democratic home in our district. We didn't have to buy one stamp; that's how many volunteers we had.

I was in my office the first morning in March. It would happen to snow that day on our first drop. Tony DePalo had a group of senior citizens running up and down the steps like young jackrabbits.

I won the Democratic Committee endorsement which, again, many political people told me to not even attempt it because I've never run for any office, and we won by one vote.

And I want to personally thank Manny Gold, if he's here. I just met Manny about a year before I ran. I didn't know him but we got to be close friends. Right before the election he had a problem and he was in the hospital. I went in to visit him and he had his family there, only he wasn't paying any attention to them. He had a committee list on his bed and a phone in his hand. He was calling members. That's the type of support that I received.

A lot of people said that they're proud of

me, but I'm very proud of all of you for putting me here. I went after the job of City Council probably 90 percent, but after your support and enthusiasm, I went 200 percent because I knew I could never lose mainly on account of you.

A lot of people ask me the biggest question and I get it every day, "Why would you, a normal average-looking person, run for City Council or public office?" My answer is, "Why not?" Why can't we average Pittsburghers have a say in City government, or any government for that matter? Why can't an average person have a say in how his tax dollars are spent or wasted?

I look forward to working in Allegheny County. This is the oldest county in the country. I see that as opportunity. I see that as people wanting to stay here. We owe a lot to our senior citizens. My mother lived the last six months of her life in a senior citizen high-rise. We need a lot more of those neighborhoods, neighborhood housing, and not just high-rises. We need housing for all retired people. We are paying attention but we need to pay more. I feel senior citizens have the right to live their later years in pride and dignity as they have set the standards and goals for us.

I have been talking about jobs over two years ago. Jobs are important, as the Reverend mentioned. 25 percent isn't good enough but 25 percent of nothing is terrible. We need a lot of jobs so that we all have opportunity. We're going to have to work twice as hard for these jobs. The whole country has a problem now. I saw it coming. In business we saw this thing coming way before some of the politicians did.

We have an opportunity in Pittsburgh that very few places have. We have a brand new airport that's going to create over 10,000 jobs, but we need transportation to get to those jobs.

Our two strongest assets are our hospitals

and universities. We have to work with them hand in hand to help them expand and grow because they're the types of jobs that can create career opportunities for all our young people. You saw my kids; I don't want my kids to ever say, "Dad, I'm leaving Pittsburgh because we don't have an opportunity here." We all owe it to them to work hard for that and I intend on working closely with business and labor to create opportunity.

Kids are very special to me. They're one of the main reasons I'm here. And whether you know it or not, we don't pick our parents. Most of us were probably very lucky. There's a lot of kids in this neighborhood and this City who don't have the luck of the draw that we did. I think we have to get involved, all of us. And when I mentioned senior citizens, there's a lot of talent there. There's college and high school kids.

My son was a tennis star at Central and at the University of Pittsburgh, but I'm more proud of him because after school he got credit and he and his classmates went to Wilkinsburg and worked with lower-income kids and helped them with their homework after school. These are the types of programs I look forward to expanding. We have some like it but I don't think we have enough.

We're building a new jail over here. A beautiful piece of Pittsburgh is being used for a jail overlooking a beautiful river. I think it's a disgrace. I realize our leaders maybe had no choice but I would like to see our tax dollars spent for libraries, schools and playgrounds, and to help kids so that we don't ever have to build any more of that in our Downtown city.

These are tough times. We face many challenges and opportunities. I know and respect the Mayor. I'm going to meet her Administration and staff this week. I've gotten to know my fellow Councilmen much better in the last few

days, and I'm personally very impressed with them. They've done a great job in the last two years, and Dan and I look forward to expanding that.

If we're going to build Pittsburgh we're going to have to open doors. I've worked 20 years in the business field and I've never had a closed door. And nobody will ever close my door. We don't have to just work with people in this room, we have to work with people in the County and the State. We need a competitive edge.

Our differences aren't here. We aren't the competition. We're on the same team. Our competition is going to come from other cities, other states, and other nations.

I pledge to you my independence and I support the growth of the people of Pittsburgh, and I will not sponsor any or work with anybody if its only for personal or political gain.

Since this is the first time I've run for public office and this is the first time I've been sworn in, I've been sworn at a lot but this is the first time I've been sworn in, I'd just like to take a few personal moments. You saw my family and I'd like them to stand. My wife, Judy; my oldest daughter, Heidi; my son, Terry; and my youngest son, Cory, who is in second grade at one of our Pittsburgh East Hills school. I have a personal vested interest in our school system, both private and parochial.

There's one person responsible really for me standing here. He has been a friend and a boss for twenty years. He's done a lot more than give me a pay check. He's helped me grow, grow as a man, maybe grow up. He helped me as a father, to be a better father, to be a better husband. And he set the example for me, not just in words but in his actions with his family, community, and I want to personally thank him for all he's done for

me. Lou Pappan.

This is the first day in twenty years that I haven't gone to work with Lou and that's the saddest part of my experience standing here. But my heart will always be there.

The only other regret I have is that my parents, Bob and Mary Ann O'Connor, can't be with me and my niece, Yael, but I know they're here in spirit. I don't think I'm this good to come this far by myself so I know I had a lot of help looking over my shoulder.

I'm very proud and honored to represent the people of Pittsburgh and my district. I was not only born and raised there, but my three sets of grandparents, when they came over to this country, lived in my district. So, it's an extra-special effort. I love the whole City and I'm very proud to be here. Thanks.

The Chair:

Thank you, Councilman O'Connor, and if I could paraphrase for Lou Pappan, "You're going to like him."

It's now a great honor to introduce the second of two new members to Pittsburgh City Council, from Council District 1, Councilman Dan Onorato.

Mr. Onorato:

Mayor, President Wagner, distinguished guests, colleagues, friends and family. It is with great honor and pleasure that I take this Oath of Office today to represent the North Side in this great City.

I would like to thank God that I can share this moment with some very, very special people, and I'd like to first recognize a few people here. The one person that shared every up and down

with me, every emotional rollercoaster there is with a campaign, and there's many, is my wife, Shelly. And there's one thing that was more important than any election you could think of, and it happened 111 days before that primary, and that was the birth of our first child, our daughter, Kate. Would Shelly and Kate please stand up for a second? I'm sure there's a lot in this room that can understand what nine months of pregnancy can do to you, but try to add a campaign on top of it. It was pretty wild in our house for a while, believe me.

I would also like to recognize my family. One thing you learn, when you come from an Italian family, you don't do anything by yourself; you do it as a group. I'd like to recognize my mother who started this whole thing. I'd also like to recognize my grandmother, her mother, sitting right next to her, Adeline Orsini from Bloomfield.

One thing I found out, before I had to go to any friends from high school, college, and before I had to go to friends in the neighborhood that I grew up with, I had four good supporters; that's my brothers and sisters. And one thing their spouses had to learn is that when you marry an Onorato, you sort of participate in everything we do. So it went up to eight automatically. I had eight volunteers. I'd like to recognize my brother David Onorato, his wife, Kathy. My sister, Tina, is in the audience; her husband, Dave Gaertner, couldn't make it. My sister Marianne, who drove in from Ohio this morning because she doesn't want to miss anything either. Marianne Chillinsky and her husband, Tom. My youngest sister, Sue Conroy; her husband, Rege, isn't here but Sue is.

There's two other people that I would just like to recognize right now that were there from the beginning and probably I would not have even come close to winning this without their support and help. That is, Joe Viehbeck and Ray

Myer. Are they in the room? Would you stand up for a second?

There are many friends that I would like to mention but they're here and they know that I appreciate and thank them. And I especially, especially, thank the voters of the North Side. They believed in me, they listened to my message, they gave me a chance, and I promise not to let them down.

I'd like to say that with the backing of these people that I just mentioned, and with the backing of the people on Council, there is no problem or no issue that this City cannot meet and cannot solve. So, today forward, I challenge the Administration, I challenge my colleagues, I challenge myself, I challenge my fellow North Siders, and I challenge every citizen of the City of Pittsburgh to meet any challenges that come up in front of us.

I'd like to say that I challenge all of us to look at the way we address crime in this City. I challenge us not to be afraid to rethink putting visibility back on the streets. I challenge us to think of the beat cops and of community policing.

I challenge us to think of dealing with the community groups and getting involved and getting to know the neighborhoods. I challenge us to think of working hand in hand with our neighboring municipalities so that we can work together to build the greatest county in the Commonwealth of Pennsylvania with Pittsburgh as its engine driving the force.

We should forget any adversarial roles we have with each other and work together because together we can do it. If the government overlaps too much, you have a fight back and forth. I challenge everyone in this room to work with State officials and with County officials to do this.

I also challenge us to attack the population loss facing this City over the last several years. I challenge us by the year 2000 to see a population increase. I believe we can do it, or very close to it. I challenge us to develop the residential neighborhoods, to develop new ideas, new packages, to provide encouraging incentives for people to move back to this City.

I challenge every one of us here to look at our business districts, Downtown and in our local neighborhoods. I challenge us to clean up the streets Downtown. I challenge us to revitalize every neighborhood business district.

Once again, I challenge us to think of new ideas. If the old ideas aren't working, let's think of new ones. Let's think of new financing, new marketing. Let's promote this City so that everyone in the County is proud to say that they're from Pittsburgh, regardless of where they live, and they're proud to come in to the City.

I challenge us to look at the housing that the City owns and the property that the City owns, to get it back on the private tax rolls, to clean up these lots. I challenge us to go to private enterprise and get these properties back to individuals to help increase the residential living.

Finally, I would like to say that today I personally accept that challenge and I look forward to anyone in this room that is willing to come forward and meet the challenge with me.

I thank everyone very much. Thank you.

The Chair:

Thank you, Councilman Dan Onorato.

It is now a great pleasure to introduce another and the fifth of five newly elected Members of Pittsburgh City Council. From Council District 3, a person that I think knows his

district as well as any member of Council, Councilman Gene Ricciardi.

Mr. Ricciardi:

Thank you, Mr. President, Mayor Masloff, honored guests and family, and supporters and friends.

After listening to newcomers, Mr. O'Connor and Mr. Onorato, I'm ready to go to work. They're very impressive and I'm looking forward to accepting those challenges from Mr. Onorato and especially by pursuing some of the ideas that Bob O'Connor has brought up.

First, I'd like to take this opportunity, however, to thank a very dear friend for giving me the honor of her swearing me in today, and that's Judge Anna Marie Scharding. For those who know Judge Scharding, and we call her Ann, there is no one south or southwest of the rivers that works as hard as Anna Marie Scharding. She has literally volunteered thousands of hours working with our Block Watches and working on community issues.

Ann, it's a great honor that you swore me in today and I thank you for that.

Next, I would like to thank my staff members -- my full-time staff, Nora Hassett and Bill Fry; my part-time staff, Rege Leonard and Floyd; and my consultant, Mark Zabierek -- for their professionalism, for their hard work and for their guidance. I'm looking forward to another four years of accepting more issues and more challenges.

I also would like to thank all of my family members, my extended family, and my friends, not for your support during the campaign but for the affection, for the love and for the support you have given me all the while. In particular, I'd like to point out my sister, Connie; my niece, Dawn;

my nephew, David; my in-laws, Dorothy and Sam Karp; and most important in my heart, my wife, Lynn. I'd like to thank all of them.

I'd like to take this opportunity to thank the voters, the taxpayers, and the residents of all the neighborhoods in District 3, Allentown, Arlington, Arlington Heights, Beltzhoover, the South Side Flats, the South Side Slopes, Knoxville, South Oakland and yes, Michael Coyne, that part in Hazelwood. I'd like to thank them for giving me this opportunity to continue to serve in public service, service to the public. Not service for ourselves or not a willingness to accept something, but just public service.

I'll be very brief. I'm looking forward to addressing many issues on City Council but in the past you'll see there's many slogans for the City of Pittsburgh and they're all very deserving. Recently, a five year old child wrote a letter to Mayor Masloff, the leader of our City, and she said, "Pittsburgh, Get The Point". Pittsburgh is special. It's special because of our tight-knit neighborhoods. It's special because of our people, our businesses. It's special because we make it special.

We should not accept any downswing in the economy but we should look for the answers. We have to extend our hand to Maglev. As I've said in the past, I believe that's Pittsburgh's future in the making.

We have to look towards the Airport. We haven't extended our hand to the Commissioners, to the State, and the other elected officials of the other 129 municipalities.

Because of the shift in population, Pittsburgh no longer is the center strength. We have to look towards metropolitanism, towards annexation.

We have to look towards working with

each other. And, most important, we have to put personalities aside, we have to put egos aside, and we have to address the issues.

The County Commissioners, and I commend them, are willing to work with the City of Pittsburgh. They've extended their hand. Now, colleagues, Mayor Masloff, we have to extend our hand back and work together.

Again, thank you everyone, all my friends, and especially Lynn. Thank you.

The Chair:

Thank you, Councilman Ricciardi.

Ladies and gentlemen, it's an honor to have with us here today the Mayor of our great City of Pittsburgh. Ladies and gentlemen, the honorable Mayor of the City of Pittsburgh, Sophie Masloff.

Mayor Masloff:

Thank you very much. I usually get that kind of applause when I'm leaving.

Reverend Clergy, distinguished Members of Council, distinguished Members of the Bench, ladies and gentlemen, all. You know, today is a very special day for all of us. But I, too, am reminded of when I stood here and I am reminded of the great honor our citizens bestowed upon me as Mayor of this great City.

We know that Pittsburgh is a city with strength, a city that cares, and a city that works. But today, you, the new Members of City Council, along with veteran members, have accepted your sworn duties to serve our citizens to the best of your ability.

I am certain that Council will continue in a long tradition of leadership, but our agenda in

the City of Pittsburgh is very serious. First, we must keep our City safe and we will continue to build on a strong foundation for Pittsburgh's future. We must create an atmosphere of opportunities and we must revitalize our neighborhoods.

A cultural district second to none will help us work further, and we will work to develop our waterfronts and our riverfronts. We will create job opportunities and we will retain those who have been displaced. This City will continue to be a great City for all of our families.

But in light of the serious economic problems our nation faces, our task before us is awesome. But let's join together today with the strength and the courage to get the job done.

My friends, we will persevere and we will succeed. God bless all of you.

The Chair:

Thank you, Mayor Masloff.

Ladies and gentlemen, running for City Council sometimes isn't as easy as it appears to be and I'm honored to have been elected by my colleagues and I'm especially honored to have several members of my family here today that I'd like to identify and recognize. A great lady, a person that my family loves dearly, my mom, LaVerne Wagner. A woman I'm lucky to be married to, my wife, Nancy. A person that Nancy and I are very fortunate to have, our son, Luke. And I'm also very proud to have my brother, Pete Wagner, here, and his daughter, Chelsea. One final member that I'm very honored to have here also, from Arizona, Jim Wagner. Thank you.

Ladies and gentlemen, there has been a lot said today by my colleagues on Council and Mayor Masloff. The problems that exist today can be transformed into opportunities if we are

optimistic and if we have the will to work together. We must all work together. What I mean and those that I am challenging, as Dan Onorato used the term quite well, are the elected officials, all of us here in this room today and all of the elected officials in this region. This is no longer a city, it is a region.

Cooperation between the various levels of government, I believe, is the key to our future. This Council must work together but still must be independent from the Administration. City government, as a whole, must work in a cooperative way with County government and other County governments in the region.

Finally, State government must work with City government and County government and face up to the responsibilities in regard to Pittsburgh which is the heart of our region.

Two examples, and one of my colleagues, Councilman O'Connor, stated one and I'll get to that next. If we continue, we do continue to need a tax system that reimburses Pittsburgh for our role as a regional center. Every other major city in this country, including our sister city, Philadelphia, has a targeted regional funding source except for Pittsburgh. Only State government can provide this change in State law for the City of Pittsburgh. If not, situations like the Aviary which have occurred in 1991 will continue to occur here in the City of Pittsburgh.

A second example. We need a new and improved road to the new Pittsburgh International Airport which will open in October of 1992. The most modern airport in the world will open in this region. The most significant economic development project in this region in decades will occur here in 1992. It will bring jobs to our people and attract companies from around the world to this region. We need to be connected to the new airport. The present road system does not provide that opportunity today.

Again, we need help, we need cooperation, from County government, from State government, to solve that very important problem.

Our task to achieve these goals must begin today in a cooperative way with a team approach. In two minutes, the three new Commissioners of Allegheny County will be sworn in, at 11:00 a.m. this morning. We in City government, we in Council, must work well with those County Commissioners and with the people at the state level to address these problems, to solve these problems. We must work as a team. Our future, ladies and gentlemen, depends on it.

I would now like to announce the appointments of the various Chairpersons of the Standing Committees of Pittsburgh City Council. They are as follows:

Committee on Finance
- Councilman Jake Milliones

Committee on Public Works
- Councilman Duane Darkins

Committee on Planning, Housing and Development
- Councilman Dan Cohen

Committee on General Services
- Councilman Jim Ferlo

Committee on Water
- Councilwoman Michelle Madoff

Committee on Parks and Recreation
- Councilman Bob O'Connor

Committee on Public Safety
- Councilman Dan Onorato

Committee on Engineering and Construction
- Councilman Gene Ricciardi

Committee on Hearings
- Councilman Jack Wagner, President

Also, I would like to announce the appointment of Councilmembers to the Board of Trustees of the Carnegie, the Carnegie which includes the Carnegie Library, the Carnegie Museum, the Carnegie Museum of Art, and the Carnegie Science Center. Those appointments are:

- Councilman Dan Cohen

- Councilman Dan Onorato

- Councilman Gene Ricciardi

- Jack Wagner
President of Council

Traditionally, at our first meeting we elect a President Pro Tem that sits in and fills in for the Council President in the absence of the Council President, and it requires a vote by Council. I would like to put forth at this time the nomination of Councilman Duane Darkins for President Pro Tem.

Mr. Ferlo seconded the motion.

The Chair:

Is there any discussion or other nominations?

Mr. Milliones:

I move Dan Cohen.

Mr. Ricciardi:

Discussion. I think Councilman Cohen

would do a good job and would be a tremendous person for that position; however, I am in full support of Councilman Duane Darkins. I would like to say that there's one thing I found out about Duane and that is that Duane, number one, sees his role as a Councilperson for the City of Pittsburgh. He was up in Mount Washington looking at the Fire Reorganization. He was in Carrick with me and I thank him for that. He has been in this Hill District, which is not his district, making sure that Mayor Sophie Masloff's Executive Order is carried out for minority and women participation.

Councilman Darkins is a dear friend. As a matter of fact, I enjoyed his statement. He said, "Now we have a four-year scholarship, Gene, and it's time to get to work and show the voters that we earned it." He is a Councilperson for the City of Pittsburgh.

Mr. Cohen:

Mr. President, I very much appreciate Councilman Milliones' nomination. It was a surprise to me. I would like to decline the nomination. I'm very appreciative of what he has done but I would like not to have my name put forward for this and go ahead with Reverend Darkins.

The Chair:

Thank you, Councilman Cohen.

Is there a motion to close the nominations?

Michelle Madoff:

So moved.

Mr. Ricciardi seconded the motion.

WHICH MOTION PREVAILED.

The Chair:

Is there any further discussion on the nomination of Mr. Darkins?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Milliones	(Pres't)

And the majority of the votes of Council being in the affirmative, the motion passed finally.

The Chair:

Councilman Duane Darkins is now the President Pro Tempore.

Mr. Darkins:

Thank you.

The Chair:

I'm a little concerned. I think the Councilman wants to take over already.

Mr. Darkins:

Not hardly. Just here to assist you. That's all.

The Chair:

I would like to ask my colleagues another procedural matter, to entertain a motion that the Rules of the Proceedings of Council be adopted today as the Rules of this Council.

Mr. Ferlo:

So moved.

Mr. Cohen seconded the motion.

WHICH MOTION PREVAILED.

The Chair:

Ladies and gentlemen, we are now honored to have with us this morning the Reverend Jim Simms, Pastor of St. Paul's Baptist Church who will offer Benediction.

Reverend Simms:

Let us be in prayer.

Our Father, we thank you for your spirit that has guided us this day through this process.

We thank you for the gift of freedom. We thank you for the gift of democratic institutions. We thank you for the gift of a democratic process.

We ask now that you will fill each elected person with your spirit, allow us to continue to receive the pull and the call of high purpose.

We thank you for the gift of public service. We thank you, Father, for the challenges that you presented to us in this great City.

We ask now that as we go down from this place that we be dismissed from these proceedings but never from your presence. In your name we ask it. Amen.

The Chair:

Thank you, Reverend Simms.

Members of Council, unless there's anything else to come before this body at this time, I will entertain a motion to adjourn this meeting.

Mr. Cohen:

So moved.

Michelle Madoff seconded the motion.

And on the motion of **Mr. Cohen**

Council adjourned.

MUNICIPAL RECORD

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Municipal Record

ONE-HUNDRED TWENTY-SEVENTH COUNCIL

JACK WAGNER President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER Asst. City Clerk

Pittsburgh, PA
Tuesday, January 14, 1992

PRESENT:

MR. COHEN	MR. O'CONNOR
MR. DARKINS	MR. ONORATO
MR. FERLO	MR. RICCIARDI
MICHELLE MADOFF	MR. WAGNER
MR. MILLIONES	(Pres't)

The Meeting was opened by the recitation of the Pledge of Allegiance to the Flag of the United States of America, and a moment of silent prayer for peace throughout the world.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Ricciardi:

Mr. Wagner and colleagues, Mr. Darkins and I would like to invite up our honored guest today, John McCarter, Unitarian Universalist Service Committee; Reverend Robert Russell, Pastor, Trinity AME Zion Church, Coordinator of Speak With One Voice; Betty Pickett, Executive Director of the National Conference of Christians and Jews; and the Reverend Kathy Hamilton, Pastor of the South Side Presbyterian Church and also Executive Secretary of Speak With One Voice Against Racism. Please join Councilman Darkins and I.

Mr. Ricciardi and Mr. Darkins present

No. 69 WHEREAS, Speak With One Voice Against Racism, an interfaith and interracial ministerial coalition formed in 1989, will conduct worship services and sermons for racial harmony during the weekend of January 17-19, 1992 in honor of Dr. Martin Luther King, Jr.'s birthday; and

WHEREAS, One Voice Against Racism expects over 200 congregations from the Greater Pittsburgh area to participate in this year's celebration; and

WHEREAS, all denominations are affiliated with the project and One Voice Against Racism has received endorsements from many other ecumenical partners for their efforts to take

a stand against racism; and

WHEREAS, in demonstration of their outrage against racism, One Voice Against Racism actively works to halt incidents such as the distribution of racist literature, job discrimination, and racial incidents on college campuses; and

WHEREAS, One Voice Against Racism is working to break down racial barriers and to promote racial justice in business, religious and lending institutions.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby congratulates One Voice Against Racism for its efforts to alleviate racial injustice; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh urges all Pittsburghers to join with One Voice Against Racism in a celebration against racism in honor of the late Dr. Martin Luther King, Jr.

Mr. Ricciardi moved to adopt the resolution.

Mr. Darkins seconded the motion.

Which motion prevailed.

Mr. Ricciardi:

I'd like to take this opportunity to invite the Reverend Duane Darkins up for the further program.

Mr. Darkins:

It has come to our attention, that's why we're here today, in regards to racism. Racism, as you know, can constitute many sidelines when we speak of the word racism.

I'm glad for Reverend Hamilton today who is here, who is the Pastor of the South Side Presbyterian Church. In the Old and in the New Testament, it speaks to the issue that there is neither male nor female, that we're all the same. And those whom God has called and chosen to serve his people in this present day and time, and she is a female and I think we need more females in the ministry. And I think that we that are in the religious sector outside of religion, our attention should be called to this avenue. Reverend Hamilton is here today.

We're looking forward to January 16th. We would encourage all of our people that are in tune with this session here in Council and that's going to be at the South Side Presbyterian Church, 20th and Sarah Street. It's going to be from 8 to 10:30 and this will be part of the functions as we celebrate Dr. Martin Luther King.

I'm going to ask Reverend Hamilton to say a few words at this time.

Reverend Hamilton:

God works in mysterious ways.

Thank you for your resolution of support and encouragement. Speak With One Voice Against Racism has a number of things planned for the year. First is a kick-off of getting religious groups involved and that will be this coming weekend. Our event on Thursday night gets the weekend started; that's something everyone can come to. But all of the groups involved will be speaking against racism in their worship services starting Friday the 17th through the 19th.

We're starting an interracial dialogue group in February which will meet regularly and we hope through that to be able to increase our understanding and sensitivity and to break down racial barriers, and also to develop better

strategies about working against racism here in the City of Pittsburgh and Western Pennsylvania.

I handed out something. I think there's enough for everybody on Council. It's a bulletin insert which we're using in our different congregations. Racism is such a massive problem and an evil that people often feel thwarted to try to do anything about it. On that insert it says, "What can I do?", one person. There are a number of steps involved there, ten suggestions that each individual can take to start today to end racism. We can end it. It is not something that has to be there. We can end it if all of us in all segments of society, political, religious, economic, social, personal in our own hearts as well, just take that step and say, "It's not going to be here anymore; the victory is ours." Thank you.

Michelle Madoff:

My concern is that we're preaching to the converted. I don't think anybody in this room is a racist or harbors racial hostility or homophobic. I would like to think not even homophobic prejudice.

The thing we need to do is to do some kind of outreach and come up, as you say, with strategies to reach a lot of kids who are victims. If you read the paper yesterday, some kid was painted and beat up by a bunch of kids on the way to school. We hear about it every day. There were kids in Squirrel Hill that were beat up, some died, because they were Hasidic Jews.

That's where the effort has to be made and we have to stop talking to each other and start to reach out. And I agree with you that some strategies really must be forthcoming and everybody has to help. Thank you.

Reverend Hamilton:

Bob Russell is the Pastor of Trinity AME Zion and a co-coordinator of Speak With One Voice Against Racism.

Reverend Russell:

Mr. President and Council, we are indeed, I don't want to say happy to be a part of this, we wish it were not necessary. Councilwoman Madoff has spoken that in this room there are no racists.

Michelle Madoff:

I said I'd like to think there aren't any.

Reverend Russell:

We would also like to think that in our various houses of worship that there are no racists, there are no people who harbor racist tendencies. But, in fact, we know there are. In fact, we know that even within a Black church there are those who have differences of opinions and not the healthy type against people who happen to be of another group.

It is the thrust of To Speak With One Voice because we believe that all of us, meeting in our various places of worship, have an idea in mind that we would like to work toward establishing justice for all peoples. So, that's a great place to start. You're at least getting the people who have the right idea.

I believe that these people, those of us who are in the religious organizations, in that group that is striving for right types of living, if these people begin to get involved instead of sitting on the side, then it can become no longer my job to be a co-coordinator for Speak With One Voice Against Racism.

We're happy that Council has invited us and signed this resolution indicating that the City, the Mayor and City Council, are indeed stating that the political arena is concerned about this issue too.

We thank you for your time.

Ms. Pickett:

I'm Betty Pickett from the National Conference of Christians and Jews and as an organization we are very happy to be part of the Speak With One Voice effort because since 1927 this has been our mission, to eradicate bigotry and prejudice.

Unfortunately, I think it has been said and it continues to exist that Sunday is probably the most segregated day of the week. So, we have to begin doing some exercising moral education and moral leadership in the very places that were deemed to have that kind of effort to take place. It's unfortunate that we still have to deal with all of the isms but it's a fact of life and I think it's something that each individual has to deal with.

When you look at the big picture, it's massive, it's overwhelming, but I think if we look at it from the standpoint of what can I as an individual do, or what can I as an individual change about myself or look at my contribution to the problem, then I think we can begin dealing with some of the isms that plague our society now. One, I think, of the biggest problems is that we have as a society failed to teach our children values. That's why we're seeing the kind of racist intimidation taking place as low as the junior high school level which is quite frightening because they're developing habits that they'll take into adulthood.

I think we as adults have to exercise some moral leadership in saying that we will not tolerate this kind of behavior and be about the

business of teaching children appropriate ways to interact with people who are different. Thank you.

Speaker:

Three years ago Speak With One Voice Against Racism was brought together due to a challenge that our larger community was faced with at that time and which continues even now. In times of wanton stress, unfortunately, all through history, there is a tendency for the evil of racism and prejudice and bigotry to come out from wherever it lurks and become public and try to become an important force. And it has in many countries. In some of those cases, religion did not speak out.

We were, as a group, concerned that political, educational and other social leaders, when there were racist defenses in a neighboring county in response to the establishment of a group home, a residence school which would have minority children. At that time, the voice of religion was mute and we felt that it was our duty as people who work in a religious context, particularly people who work for social justice in a religious context, to speak out and to call upon all religious groups to speak out against racism and against bigotry. That voice, Speaking With One Voice Against Racism, is now needed very, very much as we can see day by day.

As the stress in our society increases there are people who say, "Other people are not good enough to benefit by our society. It should be kept for me and for those like me." We must never, never allow that kind of belief to go unchallenged and certainly not in this wonderful Greater Pittsburgh area.

Mr. Cohen:

Mr. President, if I could just say a word of congratulations to all of you for doing this. All of

the distinguished people who are here today are really doing a terrific service.

I think that in times of economic distress, which is what we're in the midst of now, we have to be even more vigilant because racism seems to rear its ugly head when the economy is worse. We see what is happening in the South with the rise of David Duke and that whole ugly movement.

So, thank you very much for what you're doing and we appreciate it very much.

The Chair:

Thank you all for coming.

Mr. Cohen presented

No. 6 Resolution for the designation as a Historic Structure under Section 513 of Chapter 1007 of the Code of Ordinances that certain structures known as the Lowen-Shaffer House, more particularly located at 311 Lowenhill Street (Block and Lot Number 16-G-82) in the 19th Ward, City of Pittsburgh.

Also,

No. 7 Resolution providing for the authorization and transfer of \$809,654.36 to the General Fund of the City of Pittsburgh for reimbursement of Salaries and Indirect Costs for the Community Development Block Grant Program. (INTERIM APPROVAL GRANTED)

Also,

No. 8 An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 921, Section 921.02, Zoning District Map No. 13 by changing from "R4" Multiple Family Residence District and "S" Special

District to "AP" Residential/Commercial Planned Unit Development District all that certain property bounded by: Johnston Avenue; Broadview Drive; Lot No. 120, Block 89-K in the Allegheny County Lot and Block System; Calvary Cemetery being Lot No. 330, Block 55-M in the aforementioned system and Lot 200, Block 89-F also in the aforementioned system, 15th Ward, Council District #5.

Also,

No. 9 Resolution approving ■ Conditional Use Exception under Section 993.01(a)A(33) of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993, to Highland Limited Partnership for authorization to convert the existing 13-story structure located at 121 South Highland Avenue into 120 dwelling units for the elderly with the first floor to remain commercial and approximately 4,000 square feet of open space as a rooftop deck with a total of 30 parking spaces located at the Highland Ellsworth parking lot and/or the Stevenson Place parking lot, on property zoned "C4" Commercial District, 8th Ward, Council District #9.

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Cohen moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Also,

No. 10 Resolution providing for the filing of a 1992 application by the City of

Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the U.S. Department of Housing and Urban Development for a grant in connection with the Stewart B. McKinney Homeless Assistance Act of 1987 - Emergency Shelter Grants Program; and providing for the execution of grant contract(s) with nonprofit organization(s) ; creating a special trust fund in connection with the project; providing for the deposit of the funds in the appropriate account. The approximate funding level for the Emergency Shelter Grants Program for 1992 is \$404,000.00.

Also,

No. 11 Resolution providing for the designation as a Historic District under Section 513 of Chapter 1007 of the Code of Ordinances that certain district known as the Oakland Civic Historic District, located in the 4th Ward, City of Pittsburgh.

Which were read and referred to the Committee on Planning, Housing and Development.

Mr. Darkins presented

No. 12 Resolution providing for an Agreement or Agreements or the use of existing Agreements for the furnishing of professional services for the administration, marketing city neighborhoods and lot clean up services in relation to educating the public on litter. The services are provided for the benefit of the residents of the City of Pittsburgh effective January 1, 1992, at a cost not to exceed \$550,000.00, chargeable to and payable from Code Account 1176, Misc. Services, Dept. of Environmental Services.

Also,

No. 13 Resolution granting unto

Duquesne University, 600 Forbes Avenue, Pittsburgh, PA 15282, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a portion of the right of way of Locust Street in the 1st Ward, 6th Voting District of the City of Pittsburgh.

Which were read and referred to the Committee on Public Works.

Mr. Darkins moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Also,

No. 14 Resolution amending Resolution No. 848, approved August 21, 1991, eff. August 31, 1991, entitled "Granting unto the Pittsburgh Playhouse, 222 Craft Avenue, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense a handicap ramp on a portion of the sidewalk of Hamlet Street in the 4th Ward, 6th District of the City of Pittsburgh.

Also,

No. 15 Resolution granting unto the Burton L. Hirsch Funeral Home, Inc., 2704 Murray Avenue, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a canopy covering for the front entrance of their funeral home on a portion of the sidewalk of Murray Avenue in the 14th Ward, 5th Voting District of the City of Pittsburgh.

Also,

No. 16 Resolution granting unto the Lawrence Galie, 345 William Street, his successors and assigns, the privilege and license to construct, maintain and use at his own cost and expense, a concrete driveway in the 18th Ward, 3rd Voting District of the City of Pittsburgh. This request is made by Lawrence Galie for permission to gain access to his property.

Also,

No. 17 Resolution granting unto the Jewish Woman's League of 2336 Shady Avenue, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a concrete handicap ramp and steps in the right of way of Pittock Street in the 14th Ward, 5th Voting District of the City of Pittsburgh.

Also,

No. 18 Resolution granting unto the Medical Center Brace Company of 33 S. 19th Street, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a handicap ramp, entrance way and canopy on a portion of the right of way in the 17th Ward, 3rd Voting District of the City of Pittsburgh. This request is made by the Medical Center Brace Company to provide ingress and egress for the handicapped people that will frequent their business.

Also,

No. 19 Resolution granting unto Peter Contis, 33 Minooka Rear House, his successors and assigns, the privilege and license to construct, maintain and use at his own cost and expense, a fire escape over an alley named Santa Claus Way in the 16th Ward, 3rd Voting District of the City of Pittsburgh.

Also,

No. 20 Resolution granting unto Donald and Helen Oakes, 1738 Hallowell Street, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, an encroachment in a portion of the right of way of Adze Way in the 32nd Ward, 4th Voting District of the City of Pittsburgh.

Also,

No. 21 Resolution granting unto Dolores Fauth, 407 Clarence Street, her successors and assigns, the privilege and license to construct, maintain and use at her own cost and expense, a portion of the right of way of Crooked Way in the 19th Ward, 2nd Voting District of the City of Pittsburgh.

Also,

No. 22 Resolution granting unto Teresa Borelli, 4801 Interboro Avenue, her successors and assigns, the privilege and license to construct, maintain and use at her own cost and expense, a 60' x 10' portion of a paper street called Navy Way in the 31st Ward, 5th Voting District of the City of Pittsburgh. The encroachment is requested for an extension of her backyard area.

Also,

No. 23 Resolution granting unto Richard Swann and Ruth Ann Swann, 4737 Interboro Avenue, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a 60' x 10' portion of a paper street called Navy Way in the 31st Ward, 5th Voting District of the City of Pittsburgh. This encroachment is requested for an extension of their backyard area.

Also,

No. 24 Resolution granting unto Robert C. Pessolano, 44 S. 14th Street, his successors and assigns, the privilege and license to construct, maintain and use at his own cost and expense, a marquee over a portion of the sidewalk of 1601 East Carson Street in the 17th Ward, 3rd Voting District of the City of Pittsburgh. This request is made by Robert Pessolano due to the remodeling of his building and upgrading of his marquee, an 18' inch extension is required.

Also,

No. 25 Resolution changing the name of Unnamed Alley #7 that intersects Gettysburg Street between Reynolds Street and Edgerton Avenue, located in the 14th Ward, 5th Voting District of the City of Pittsburgh is hereby changed to Polo's Way. This request is made through the Mayor's Office.

Also,

No. 26 Resolution vacating a portion of Ophelia Street in the 4th Ward of the City of Pittsburgh. Beginning at a point on the east corner of Lawn Street and Ophelia Street, thence in a eastwardly direction 28.07+ feet more or less point; thence in a southeastwardly direction 61.92+ feet more or less to a point; thence south 16.23+ feet more or less to a point; thence northwardly direction 23.18+ feet more or less to a point; thence eastward 48.69+ feet more or less to a point; thence southeastwardly direction 15.99+ feet more or less to lot No. 43 in Mary A. Barr Plan of Lots recorded in Plan Book Volume 11, Page 38, thence along lot No. 43 No. 27 degrees - 43 degrees W. a distance of 31.14+ feet more or less to a point; thence along Ophelia Street in a northeast direction curving to the right an arc distance of 195.35+ feet more or less with a radius 196.37 and the angle 57 degrees to the

place of beginning. This portion of Ophelia Street will be attached to Parcel 28-N-110 owned by the City of Pittsburgh, currently used as the Lawn Street Playground.

Also,

No. 27 Resolution amending Resolution No. 423, approved May 6, 1991, eff. May 10, 1991, entitled "Vacation of Attica Street" in the 20th Ward, 2nd Voting District of the City of Pittsburgh. The amendment reads as follows: That Attica Street beginning at a point at the northwest corner of Attica Street and Valonia Street, thence in a Southwestwardly direction 100' feet more or less to a point, thence southwestwardly direction 124' feet to a point, thence in a westwardly direction crossing Attica Street 90' feet more or less to a point, thence in a northwardly direction 210' feet more or less to a point, thence northeast 25' feet to a point to the place of beginning in the 20th Ward.

Which were severally read and referred to the Committee on Public Works.

Mr. Ferlo presented

No. 28 Resolution providing for the issuance of a warrant in favor of Delaney Jackson, 5825 East Liberty Boulevard #4, Pittsburgh, PA 15206, in the amount of \$200.00, in payment for professional consulting services rendered to Councilman Jim Ferlo for the month of January, 1992, chargeable to and payable from Code Account 1001-2, Salaries, Wages and Services of Council, As Needed, Index Code 100123, Council District #7, City Council.
---(SPONSORED BY MR. FERLO)

Also,

No. 29 Resolution Repealing Resolution No. 690, approved August 6, 1986 entitled, "Repealing Resolution 1202 of 1985, and

establishing the Retirees' Pension Trust Fund and certain funding and disbursement guidelines for such trust fund and authorizing and directing the appropriate City Officials to carry out such guidelines.

---(SPONSORED BY MR. FERLO, MR. RICCIARDI, MR. DARKINS, MR. COHEN & MR. WAGNER)

Also,

No. 30 Resolution establishing the Retirees Additional Benefits Trust Fund (RAPTF) and certain funding and disbursement guidelines for such trust fund and authorizing and directing the appropriate City Officials to carry out such guidelines.

---(SPONSORED BY MR. FERLO, MR. RICCIARDI, MR. DARKINS, MR. COHEN & MR. WAGNER)

Which were severally read and referred to the Committee on Finance.

Also,

No. 31 Resolution amending Section 6 of Resolution No. 384, approved May 2, 1991, entitled, "A Resolution authorizing the City to incur lease rental debt in the amount of \$14,000,000.00 by entering into an Equipment Lease with the City of Pittsburgh Equipment Leasing Authority at annual rentals in varying amounts which will be sufficient to pay the principal of and interest on the Authority's Equipment Revenue Bonds, Series of 1991, the proceeds of which will be used to pay the cost of acquiring equipment and paying financing costs relating to that series; approving the form of lease and authorizing execution of the official statement relating to the Authority's Bonds," by prohibiting the rental of Pumper/Ladder Trucks by the City of Pittsburgh from the Equipment Leasing Authority until authorized by Council.

---(SPONSORED BY MR. FERLO)

Also,

No. 32 Resolution amending Section 1 of Resolution No. 652, approved July 16, 1980, entitled, "A Resolution authorizing the formation of a Municipality Authority to be known as City of Pittsburgh Equipment Leasing Authority, adopting a form of Articles, authorizing the execution of Articles and the filing with the Secretary of the Commonwealth and appointing members," by specifying the project or projects to be undertaken by the Equipment Leasing Authority.

---(SPONSORED BY MR. FERLO)

Which were read and referred to the Committee on General Services.

Mr. Ferlo moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. O'Connor seconded the motion.

Which motion prevailed.

Also,

No. 33 Resolution amending Res. No. 1131, eff. November 7, 1990, entitled: "Providing for the letting of a contract or contracts for the furnishing and delivery of a Trash Collector/Sweeper and a Gang Mower and providing for the payment thereof," by increasing the total project allocation by \$4,000.00 from \$30,050.00 to \$34,050.00, chargeable to and payable from Capital Project Fund #4-30-01-0001-87 (GS87-03), Misc. Equipment for City Departments (Bond Fund), Dept. of General Services.

Also,

No. 34 Resolution providing for a Professional Services Agreement or Agreements or for the use of existing agreements for the purchase of fuel for City owned vehicles at a cost not to exceed \$500,000.00, chargeable to and payable from Code Account 1144, Gasoline and Diesel Oil, Dept. of General Services.

Also,

No. 35 Resolution providing for an Agreement or Agreements and/or a Contract or Contracts, or for the use of existing Agreements or Contracts for the leasing of office space, and the necessary services and equipment required due to the relocation and housing of the various occupants of the Public Safety Building, at a cost not to exceed \$630,000.00, chargeable to and payable from Code Account 1128, Misc. Services, Dept. of General Services.

Also,

No. 36 Resolution providing for the letting of a contract or contracts, or to exercise against existing contracts, for furnishing and/or installing energy conservation equipment for the Department of General Services at a cost not to exceed \$205,000.00, chargeable to and payable from Capital Account 3-30-01-0004-92, Energy Conservation Improvements for Public Buildings, Department of General Services.

Also,

No. 37 Resolution providing for the letting of a contract or contracts, or to exercise against existing contracts, for various repairs and renovations to City facilities at a cost not to exceed \$450,000.00, chargeable to and payable from Capital Account 3-30-01-0003-92, Bureau of Repairs and Operating Maintenance, Department of General Services.

Which were severally read and referred to the Committee on General Services.

Michelle Madoff presented

No. 38 Resolution authorizing an Agreement or Agreements with a third party Credit Rating Agency for professional services for the filing of past due account data and for pre-collection dunning notification to delinquent water customers for credit rating purposes, at a cost not to exceed \$7,500.00, chargeable to and payable from Code Account 1922, Misc. Services, Dept. of Water.

Which was read and referred to the Committee on Water.

Mr. Milliones presented

No. 39 Resolution providing for conveyance by the City of Pittsburgh of certain property, under Act No. 171 of 1984, entitled, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

Which was read and referred to the Committee on Finance.

Mr. Milliones moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Onorato seconded the motion.

Which motion prevailed.

Also,

No. 40 Resolution providing for the issuance of a \$920.00 warrant in favor of GBM Pittsburgh, Inc. in settlement of claim for property damage incurred as the result of

basement flooding caused by ■ sewer backup at 110 South 15th Street, payable from Code Account No. 46, Judgments.

Also,

No. 41 Resolution providing for the issuance of a \$870.00 warrant in favor of Joel Rishel for vehicle damage when struck by a City Police truck on Penn Circle, October 11, 1991, payable from Code Account No. 46, Judgments.

Also,

No. 42 Resolution providing for the issuance of a \$20,258.59 warrant in favor of Jon and Carol K. Monnig in settlement of claim for property damage incurred as the result of two City Police vans colliding into one another and sliding into the concrete block building at 2528 Sarah Street, payable from Code Account No. 46, Judgments.

Also,

No. 43 Resolution providing for the issuance of a \$900.00 warrant in favor of Clement P. Martinez for vehicle damage when struck by a City Fire truck on Concordia Avenue, June 25, 1991, payable from Code Account No. 46, Judgments.

Also,

No. 44 Resolution providing for an agreement with Dickie, McCamey & Chilcote, P.C. for professional legal services for the City Controller in an amount not to exceed \$65,000.00, chargeable to and payable from Code Account 1048, Misc. Services, Dept. of City Controller.

Also,

No. 45 Resolution providing for

conveyance by the City of Pittsburgh of certain property, under Act No. 171 of 1984, entitled, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

Also,

No. 46 Resolution providing for conveyance by the City of Pittsburgh of certain property, under Act No. 171 of 1984, entitled "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

Also,

No. 47 Resolution providing for conveyance by the City of Pittsburgh of certain property, under Act No. 171 of 1984, entitled, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

Also,

No. 48 Resolution Repealing Res. No. 981, Item C, eff. October 21, 1991, which authorized the sale of property in the 9th Ward, being a vacant lot 12.72' x 95', located at 417-1/2 42nd Street, designated as Block 49-L, Lot 126, to Richard A. Kosuda and Christine Kosuda, for the sum of \$300.00. The reason for the above repealing resolution is that this property was placed for sale by offering said property in open auction. (Council District #7)

Also,

No. 49 Resolution Repealing Resolutions, approved on various dates, authorizing the sale of properties in various Wards of the City of Pittsburgh, in accordance with Act No. 171 of 1984.

Also,

No. 50 Resolution providing for the

filing of a petition or petitions for the sale of certain property or properties, acquired at tax sales in accordance with Act No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

Also,

No. 51 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties, acquired at tax sales in accordance with Act No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

Also,

No. 52 Resolution Repealing Resolution No. 531 approved May 30, 1991 entitled, "Providing for an Agreement or Agreements with the Hill District Federal Credit Union for administrative/operating assistance at a cost not to exceed \$5,000.00, chargeable to and payable from the 1991 CDBG Program - City Council - "Hill District Federal Credit Union".

Which were severally read and referred to the Committee on Finance.

Mr. Ricciardi presented

No. 53 An Ordinance amending Ordinance No. 28 of 1991, approved July 12, 1991, by amending the Pittsburgh Code, Title One - Administrative, Article XI, Code of Conduct, Chapter 197.07, by establishing further limitations on offering or accepting gifts and favors; and Chapter 197.08, by establishing clearer requirements for filing a Statement of Affiliations.

---(SPONSORED BY MR. RICCIARDI)

Also,

No. 54 Resolution authorizing the

Director of the Department of Finance to transfer the aggregate amount of \$80,000.00; \$25,000.00 from the Confiscated Gambling Money Fund (CGM); \$25,000.00 from the Confiscated Narcotics Proceeds Fund (CNP); \$25,000.00 from the Drug Forfeiture Money Trust Fund (DFMTF); and \$5,000.00 from the Property Tax Reduction Trust Fund (PTRTF), to the Firearms Redemption Trust Fund (FRTF).
---(SPONSORED MR. RICCIARDI)
(COMPANION BILL TO BILL NO. 55 & BILL NO. 56)

Which were read and referred to the Committee on Finance.

Also,

No. 55 Resolution the Mayor and the Director of Public Safety to create and operate a Firearms Redemption Program, providing for the voluntary redemption of firearms; to establish redemption fees; to establish the method of redemption and collection; to establish eligibility criteria for participation in the program; to set standards for acceptance of firearms for redemption; and to administer said program.
---(SPONSORED BY MR. RICCIARDI)
(COMPANION BILL TO BILL NO. 54 & BILL NO. 56)

Also,

No. 56 Resolution authorizing and directing the City Controller to create a special trust fund to be designated as the Firearms Redemption Trust Fund (FRTF) and authorizing the use of the monies deposited therein by the Department of Public Safety to operate the Firearms Redemption Program.
---(SPONSORED BY MR. RICCIARDI)
(COMPANION BILL TO BILL NO. 54 & BILL NO. 55)

Which were read and referred to the Committee

on Public Safety.

Also,

No. 57 Resolution amending Resolution No. 899, eff. October 9, 1991, entitled "Providing for a Contract or Contracts, or use of existing Contracts, for the Restoration and Renovation of Market Square and for the purchase of equipment and materials for said project; and providing for the payment of the costs thereof," by decreasing the total project allocation by \$100,000.00 from \$1,500,000.00 to \$1,400,000.00, chargeable to and payable from the Market Square Improvements Trust Fund.

Also,

No. 58 Resolution providing for a Cooperation Agreement or Agreements with the Urban Redevelopment Authority for the purchase of materials in connection with the Market Square Project at a cost range of \$50,000.00 or more, but less than \$100,000.00, chargeable to and payable from the Market Square Trust Fund.

Which were read and referred to the Committee on Engineering and Construction.

Also,

No. 59 Resolution providing for the issuance of a warrant in favor of Public Strategies, Inc., One Bigelow Square, Suite 616, Pittsburgh, PA 15219, in the amount of \$1,600.00, in payment for professional consulting services rendered to Councilman Eugene Ricciardi for the month of January, 1992, chargeable to and payable from Code Account 1001-2, Salaries, Wages and Services of Council, As Needed, Index Code 100123, Council District #3, City Council.
--(SPONSORED BY MR. RICCIARDI)

Which was read and referred to the Committee on Finance.

Mr. Ricciardi moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Ferlo seconded the motion.

Which motion prevailed.

The Chair presented

No. 60 Resolution providing for the issuance of a warrant in favor of Campbell Horgan, Studios 4606 Penn Avenue, Pittsburgh, PA 15224, in the amount of \$1,500.00, in payment for a granite memorial honoring Officers Grill and Herron, erected at the South Side Police Station, chargeable to and payable from Code Account 1001-1, Miscellaneous Services of Council, Index Code 100115.
---(SPONSORED BY MR. WAGNER & ALL MEMBERS OF COUNCIL)

Also,

No. 61 Resolution amending Resolution No. 733, appr. July 26, 1991, entitled, "A Resolution providing for an agreement or agreements with a consultant for professional services for the evaluation of personnel and position structures in the Office of the City Clerk," by deleting the name 'President of City Council' and inserting the name 'City Solicitor', in an amount not to exceed \$10,000.00, chargeable to and payable from Code Account 1001-1, Misc. Services, Supplies, Equipment, etc., City Council. This agreement shall be approved in form by the City Solicitor." --(SPONSORED BY MR. WAGNER)

Also,

No. 62 An Ordinance amending the Pittsburgh Code, Title One - Administrative, Article XI- Personnel - Chapter 180 - Personnel Administration, Section 180.01 (a)(3), by adding and deleting positions in the City Clerk's Office. The amendment is deleting [two Chauffeur-Clerks] and adding one (1) Research Assistant and one (1) Financial Analyst, As Needed.

---(SPONSORED BY MR. WAGNER)

Which were severally read and referred to the Committee on Finance.

Mr. Millones moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Onorato seconded the motion.

Which motion prevailed.

Also,

No. 63 An Ordinance directing the Allegheny County Board of Elections to place before the qualified voters of the City of Pittsburgh a referendum question which would amend Section 322 of the Home Rule Charter - Publication and Effective Date of Legislation. This amendment provides that the Effective Date would be the date of the Mayor's signature rather than the date of publication. Also, only Ordinances would be advertised in the newspaper. --- (SPONSORED BY MR. WAGNER)

Which was read and referred to the Committee on Finance.

Also,

No. 64 Petition from the residents of the City of Pittsburgh requesting a public hearing to discuss the hazardous effects of the planned Toxic Waste Incinerator in the East Liverpool, Ohio area.

Also,

No. 65 Petition from the residents of the City of Pittsburgh requesting a public hearing to discuss the proposed removal of Engine Company #14 from the Fire Station at Louisa & McKee Streets in the Oakland area.

Also,

No. 66 Communication from the Allegheny County Sanitary Authority submitting a list of the Authority's personnel as of December 31, 1991.

Also,

No. 67 Communication from Ben Hayllar, Director, Department of Finance, submitting a report of deposits and the market value of securities pledged as collateral by City Depositories as of September 1991.

Also,

No. 68 Communication from Ben Hayllar, Director, Department of Finance, submitting a report of deposits and the market value of securities pledged as collateral by City Depositories as of October 1991.

Which were severally read, received and filed.

MOTIONS AND RESOLUTIONS

Mr. Cohen:

Mr. President, there are two issues that I

would like to discuss this morning. The first one is about the Access Program.

I'm very disturbed by the recent assault on the Access Program which provides transportation services to senior citizens and the disabled. As we all know, it's an absolutely essential program for thousands of older and disabled people in the City of Pittsburgh and Allegheny County.

First, we learned last week that the County Department of Aging will be requiring those people who use the Older Person's Transportation Program of Access to partially pay for rides they never had to pay for before. This is a major change which will hurt the most the poorest senior citizens who use this program. Charles Stowell, the Director of the County's Department of Aging, admitted that it was the poorest senior citizens that would be affected by this cutback.

Then we found out that the Port Authority, in order to comply with the Americans With Disabilities Act, by including those with visual and cognitive impairments, is proposing to cut its subsidy to disabled persons who have received this service for 13 years. Specifically, the Port Authority is planning to cut Access to riders who live more than three-quarters of a mile from a bus station or a trolley line.

It's ironic that in order to comply with the Americans With Disabilities Act the Port Authority feels that it is necessary to cut back on transportation services for the disabled. Moreover, what this proposal would do is pit one disabled group against another when both are equally deserving. Pitting one disabled group against another would be misguided and would hurt the disabled community.

The net result of these two proposals would be to hurt the very people who in a time of

deep economic recession feel the greatest responsibility that government should feel the greatest responsibility to help, and that is our senior citizens and the disabled. I think it would be insensitive and irresponsible for the Port Authority and the Department of Aging to implement the proposed cutbacks in the Access Program.

The level of government that I think is most to blame is the State. Even though they drastically raised taxes and increased the budget by 12 percent, they didn't add a single penny to the Older Person's Transportation Program which last year was \$600,000 and this year will be the same, leaving the County with a \$185,000 shortfall.

Similarly, they have cut back on the money available to the Port Authority. But the County can't simply go along with the State's failure. It has to find the money to keep these programs solvent.

I spoke before the Port Authority last week and saw the many, many disabled people who came down to protest. Their words were incredibly moving and their fear was palpable.

We have to do something to help these people and to help the senior citizens and the disabled who will be affected by these cutbacks.

I'd like to move, Mr. President, that we send a very strongly worded message, a letter, from this Council opposing these proposed cutbacks and that we send the letter to the Governor of the Commonwealth of Pennsylvania, to the Secretary of PennDOT, Mr. Jerusalem, to the Chairs of the Transportation Committees of both the Senate and the State House, the Executive Director of the Port Authority, Mr. Millar, and the Director of the County's Department of Aging, Mr. Stowell.

Mr. Ricciardi seconded the motion.

WHICH MOTION PREVAILED.

Mr. Cohen:

On another item, Mr. President, very briefly. The recycling system still has some kinks in it. Curbside pickup of blue recycle bags are behind. In my district, at least, last week in Shadyside and this week in Bloomfield, the blue bags lined the streets as many as two days after the pick up was scheduled to occur. We all support recycling, of course, for what it does for our environment, but it doesn't help the environment to have blue bags that are strewn along our streets.

I want to commend the Administration for instituting recycling and also for adding newspapers on January 1st, but the adding of newspapers, I think, will just increase the problem.

We had a post agenda several months ago on bulk waste pick up. There were problems in that program too and I think the post agenda really helped because it resulted in a change in the system so that now bulk pick ups are scheduled regularly rather than having to call up for an appointment.

So, I think what we should do is have a post agenda on this issue too so that we can work the kinks out of the recycling system and ask the Director of Environmental Services, Mr. Elston and Mr. Turner, to come before Council for a post agenda.

The Chair:

Councilman Cohen, you will schedule that?

Mr. Cohen:

Yes.

Michelle Madoff:

On the same subject. Not only do I think it's a good idea that we have a post agenda, and I couldn't agree more with my colleague, but I think that what we read in the paper -- And we're only the elected officials, we're the last to know -- Did anybody on Council get a call saying there was a problem, that they weren't going to be able to pick up?

And then the stories that came out were bizarre. Everybody ad-libbed an excuse. And the truth of the matter, if it indeed is the truth, is that the unexpected overload of newspapers is what bogged down the system, but the stories were, oh, because we laid people off, because there weren't any people to do it. There was one story after the other that had no validity and nobody was speaking in authority, holding a press conference or having a meeting with Councilmembers to say, "Here's what's happening".

You mentioned a couple of communities. Mount Washington, people are calling me and saying it's been two weeks since the blue bags have been picked up and I think that's outrageous.

I thought this was a new day and this new Council that we have had the last few years has been wonderful. We have gotten along very well and there was a spirit of cooperation. We may not always agree but at least we weren't in an adversarial position with the Administration. And if that's to continue, the Administration has an obligation to let at least the elected officials know what's going on and to tell us the truth. And that's the kind of question we're going to need to ask the Administration, so they're on notice now.

I'm going to ask the question and Maribeth Rizzuto I hope will be here and I hope she won't be ad-libbing any further.

So, I certainly agree not only with what was said but we need to take it a step further and we need to use that as an example of a lack of communication starting right off from the beginning of the year that we need to know what's going on. I think you raised this issue before.

The Chair:

That's an excellent point.

Councilman Darkins, chairing that Committee, were you notified of that problem?

Mr. Darkins:

Which problem?

The Chair:

The recycling problem.

Mr. Darkins:

I have not been notified of any problem. And, truthfully, I am here to commend, from what I'm seeing. I live in the Ninth Council District and everything has been moving. I think notification went out in the mail to everyone throughout the City of Pittsburgh of the change that would take place and about the designated day for bulk pick up. I was somewhat congratulating them on the job that's being done.

I'm so sorry to find out in listening to Councilman Dan Cohen and Michelle this morning that there are some problems that have been created within their area and we will investigate and look into it. But so far, I'm very much pleased with what is happening. I don't see

blue bags all up and down my street.

Mr. Cohen:

Send your guys over to Bloomfield, will you?

The Chair:

If I may just add, I think a post agenda is warranted and, evidently, Councilman Darkins, they have given your district some priority because I know it has happened in all the other districts.

Mr. Cohen:

Mr. President, I would obviously very much like Mr. Darkins to be at the post agenda meeting and contribute, obviously, to the problem. But maybe some areas of the City are getting less pick up than other areas and we should have it be uniform, of course.

The Chair:

We need to work it out.

Michelle Madoff:

On another matter. A few minutes before we came to Council, most Councilmembers were contacted to sign an interim request by the Administration to transfer monies so that bills could be paid from the Controller's Office. I was a little non-plussed. I said I'm not signing this until I know what it is and a letter was brought up to me from Mr. Hayllar and the reason why Mr. Turner showed all of us what the money was being needed for.

The letter was written to the Controller on December 20th. "Please transfer \$837,318.43 from the CDBG City Planning Salary Department Fund, Index Code so and so . . . " I

don't want to bore you with this. "This transfer is authorized by Budget Resolution 407 of 1991." It closes with, "The Community Development Block Grant accounts listed below are to be credited."

Now, what they're referring to is that Community Development Block Grant Program, the paying for positions in Code Account No. 102 and so on, that are engaged in Community Development Block Grant Program activities, shall be reimbursed through the General Fund from the Community Development Block Grant Program account.

The City Controller and the City Treasurer are hereby authorized to periodically reimburse the General Fund for salaries and fringe benefits paid to employees in the Departments of City Planning, Public Safety, Public Works and Parks and Recreation, who work on Community Development Block Grant Program eligibility activities.

Now, here we are. This is not the first time it has happened. My understanding is that the Controller just refused to do it.

I'm very concerned about the loss of Ray Johnson. I'm very concerned about what is happening down there. And I'm concerned that the issue is not because we have removed the superfluous people who don't work and don't have desks and don't have telephones. I'm concerned about the fact that there's not a willingness to get the job done. And every time something like that happens, I'm going to be sure that somebody on this Council knows about it and raises the issue if it's in their department.

So, I'm very disturbed that at zero hour before we come into Council we had to sign an interim report to get the monies that are due into the appropriate account so that bills could be paid. That is just one subject.

On another subject. At the swearing in ceremonies and at the voting for President of Council, the usual procedure for my new colleagues is that the President of Council has the complete authority to create any subcommittees and also to appoint those people he wishes to serve in various capacities.

He was very gracious and asked all of us what we would like to do. In case anybody doesn't know, I requested that I serve on the Water Committee, although it's over 13 years, because I'm getting a handle on it finally and I think we're going to see some kind of drastic improvements and many of my recommendations over the years have been put into effect. We still have something like \$16 million or \$14 million in outstanding, uncollected bills. For those of you who are new, these are people who always thought their water bill was something they didn't have to pay. And because we didn't go after the money, this outstanding debt has accrued.

So, I felt I wanted to stay there. I just didn't think of it at the time. A number of years ago a President of Council appointed me to an energy committee because that's something that I have some knowledge about.

For the new colleagues and those I will thank who voted unanimously with me to create a Commission on Aging and a Department of Aging to help define how this Commission on Aging will function, and I hope that it will be taken out of Parks and Recreation, and I believe that is the intent, and create a separate department. We are getting older but staying younger and our needs have changed.

I think I finally got through to the Administration that this is not going to be threatening to the budget process, that we're not going to be seeking more money. As the seniors

have said, it is not a matter of money, it's a matter of taking control of their own destiny.

It was interesting. I went to the Symphony on Friday night, and incidentally, the program was wonderful, but there was an ad in the program. It was an ad by Smithkline Beecham Consumer Brands and they sponsor Geritol, Nature's Remedy, Orafix, Tums, Sominex, Excedrin, Ecotrin, and so on. They are proud sponsors of the Symphony for seniors.

The reason I mention this is that the concept here is to go, as the Baltimore Senior Citizen Program has, to the private sector and raise money for programs. For example, we give money to the Symphony and to the Ballet and so on each year from our various allocations of dollars, generally it's money that comes from the State and Federal Government, so that seniors can have tickets to things. But it's money we could use elsewhere if we could get some of these independent organizations, companies, who have a vested interest in seniors to make these kinds of contributions for special programs.

I have spoken to Jack, the President of Council, and he is supportive of creating a Commission on Aging, and a Committee. I have had people ask me if they could serve on that Committee; one is Sam Tiglio. I would request that Mr. Ricciardi serve on it. I understand that Mr. O'Connor would like to serve on it, and I don't know who else. I certainly hope that the President of Council would be involved. And I would like to ask that we move as rapidly as possible to appoint me to head that Committee since I have pulled it together.

The problem I have is that in the next two days I have a meeting with Mr. Turner and a number of people who are concerned about how it will be structured, and with the seniors themselves who pushed this Council for two years now to create this Committee.

I would hope that that would be addressed as expeditiously as possible.

Mr. Ricciardi:

On the same issue. First I would like to say that I'm very pleased that the Administration is working towards forming the Department of Aging. This City Council has created the Department. Mr. Wagner, with your \$50,000 amendment, we have set aside \$50,000 to help in the transition period.

This goes back to what Mr. Cohen has brought up, a very good point concerning Access. Presently in City government, we do not have one voice speaking for the elderly, and that's why the Department of Aging has been formed. We need to offer our seniors in the City of Pittsburgh more than bingo games at our centers. Again, that's why the Department of Aging has been formed.

I must commend the Administration that they're starting to move on this. I'm aware of the meeting with Mr. Turner and Michelle Madoff, and I hope the Administration continues to move on this and I hope that this City Council recognizes that we do have a new department, the Department of Aging. It's not part of the Department of Parks and Recreation; it's an entity unto itself and it should be treated that way.

Again, Michelle, I think you have made a great recommendation having the department because it goes back to what Mr. Cohen is saying, speaking for the elderly, speaking with a voice, and that's what this department will be doing. Thank you.

The Chair:

There wasn't a department created in the budget, but it is my intent and the intent of all of

Council, I believe, to focus on that issue as we did in the budget, and we will this year.

I know what you're suggesting here today, that the Subcommittee on Aging be created today. I'm simply stating that I'm going to be asking every Councilmember their opinion on various sub-committees over the next week and it's my intent next Tuesday to deal with that issue of sub-committees.

Michelle Madoff:

I'd like to just comment further on the subject. You know, one of my problems in life is that my hero is one of our Presidents who said, "I never give them hell; I just tell the truth and they think it's hell." That's Harry S. Truman.

The fact is that I appreciate Mr. Ricciardi acting as a peacemaker - we'll send him to the United Nations - in saying, "Isn't it wonderful that the Administration is really willing to work on this?" The Administration was dragged kicking and screaming into this development. They were asked two years ago to create an Office of Aging, and didn't do anything about it. It was because they didn't do anything about it and because I had been going out and speaking on national health care to all the senior citizens and ARC groups for the last two years, and then I got sick and I saw my bill of \$100,000. So I know that people who don't have money, what they're going to be confronted with. I got very involved in this subject.

But it was Council that made it happen and we did it unanimously. And I would like to see that spirit continue where nobody is saying, "Look at it because I want to change something." Everybody is going to have their input, nothing is in granite.

But there is not an Office of Aging right now and the Administration says, "We're going

to have one." Well, right now it's in my office. My office is in three sections. I will move out of the front part of my office, my little Apple Computer in my office I use for personal use. We'll clear out a file drawer and the Office of Aging, the creation, will start in my office as of today. And we'll put a little sign up because I want to make sure that the Administration understands that this is not a maybe and this isn't something we're just going to give lip service to. It's going to be something that's going to happen and it's going to be this Council that's taking the leadership. And if the Administration wants to create something even better and take over this leadership because it's a better program than we're giving and take that responsibility, all the more power to them. But until that happens, we voted for it and we're going to make it happen.

Mr. Cohen:

Briefly, Mr. President, I want to commend Michelle for pushing so hard with this department. I think it makes sense, I really do. And not just one that oversees programs, or even that establishes new programs, but it could be an advocacy department as well.

On this Access issue, we're cutting back on transportation. The State is doing it, the County is doing it, but the City is left holding the bag. We're the ones who are going to be suffering for it, our senior citizens are going to be suffering for it, and we're the ones that are going to end up having to pay for it and there's no identified person or identified office in the Administration to be able to fight against it.

I don't know if that was what you were thinking of too, Michelle, but I think that's one of the things that it can be, a strong advocacy unit as well.

The Chair:

I know this Council is committed to that idea and that intent. It was initiated by Councilwoman Madoff and Councilman Ricciardi with a trip to Baltimore. And I would suspect that every member of Council would ultimately want to sit on that Committee. I just want to make sure that the Committee is set up in the appropriate way and it's my intent to talk with all of you individually between now and next Tuesday on that issue.

I'd like to raise a couple other quick issues. Mr. Perry, I'd like to request for the piece of legislation tomorrow that Mr. Ricciardi sponsored pertaining to the changes in the City Ethics Code where there's a tremendous focus on the Stadium Authority and the Auditorium Authority.

I would like to request that Mr. Whitmer be here, Mr. Lally of the Stadium Authority, and also Mary Conturo to talk about any legal aspects of the legislation, and also Mr. Brooks Robinson who is the Chair of the Auditorium Authority.

I would also like an inventory provided to Council as to who has utilized the Stadium Authority box for the last several years, and where all these so-called tickets have gone.

I think that's very important for us in terms of dealing with this legislation because that appears to be the focus of the legislation and certainly I think we should have some background information.

Mr. Ricciardi:

If I may, Mr. Wagner. I welcome that suggestion; I think it's a positive step. But my focus is not just those two authorities but my amendment will be City-wide and will affect other areas, other sectors of the City. However, if

we would like to focus in on those two, I would welcome that dialogue.

The Chair:

I'm simply requesting that the appropriate people be here to answer what I view to be some very difficult questions.

Michelle Madoff:

I think your point is well taken, Mr. President, and I think it's the first step in the right direction because we don't deal in a vacuum then. We know what we're talking about and you have some hard information in front of you.

My question may be a little off the target but one of the things that we'll talk about when we discuss it is the fact that there are ceremonial things that we go to. I happen not to be a sports fan. I apologize. I have the wrong genes. Sports do not do it for me. But there are times that I feel we have to go and I have gone when they were pouring beer on the people attending the football games. I felt I should go and see if, indeed, they were doing that.

Mr. Cohen:

Mr. President, with all due respect to Michelle, I think we'll discuss this issue when it comes up tomorrow.

The Chair:

I agree.

Michelle Madoff:

I want to ask that somebody be here. That was my point. I want to ask that somebody be here to address the issue of what is ceremonial that we go to and say, "Well, you went to the game, that's \$50; you went with somebody, that's

\$100. You shouldn't have those tickets." I think that aspect needs to be addressed and who I'd like to have here is somebody from the Ethics Commission, whoever is heading the Ethics Commission to address it.

The Chair:

Whoever you want to request, you can request, and simply notify Michael Perry of whoever you would want here for that legislation or other legislation.

Michelle Madoff:

Would there be somebody who heads our Ethics Commission invited? Who is that at this point?

Mr. Ricciardi:

The Chairperson, I believe, is Tom Solomich.

Michelle Madoff:

Could I please request that the head of the Ethics Commission or any of the Ethics Members who wish to attend be invited because that is going to become pivotal to whatever comes out of all of this.

The Chair:

My last issue was a request from Councilman Ricciardi to discuss with County government the future of the Crime Lab. I have talked with Mr. Harry Kramer twice, the Executive Secretary to the Commissioner. He has indicated that he is meeting this week with some people on that issue. He will get back to us if there is any way in which the City can assist the County in making sure that the Crime Lab continues to operate within Allegheny County. He's not sure at this time what that would be,

maybe a resolution, an unbinding resolution, or some other position of public support.

Mr. Ricciardi:

Mr. Wagner, first I'd like to thank you for taking that direction for City Council. For the benefit of the newcomers, as you know, we are very concerned about the Crime Lab shutting down in the City of Pittsburgh and I was equally concerned that the Administration, after City Council passed a resolution, did not contact the appropriate officials. I want to thank you for that, Mr. Wagner.

I also have been keeping track of that. I'd like to thank Mayor Masloff. She did place a call into Dr. Winek. That was the first call the County government received; it came two weeks ago. So, I'd also like to thank Mayor Masloff for beginning to move on this.

I have other information that I will not burden Council with at this time, but hopefully this is an issue that I'm going to be following up with State officials within the week.

Thank you, Mr. Wagner, for following up on our resolution passed by this Council.

The Chair:

Thank you.

Michelle Madoff:

In the near future, I would like to request that we have a round-table discussion or a post agenda or whatever you want to have, with Mayer DeRoy and whoever heads our drug surveillance task force. Buford.

There are too many stories that are contradictory going on and I have been getting phone calls at my office. For example, one of the

entities in Oakland has hired three off-duty policemen. They are in their facility, they are taking care of their problem, but they don't feel that they are getting the backup from the police at the University. They are concerned that the City isn't doing its job. They are concerned about the shootings in the street, the drive by shootings.

One of the points that was made to me was that if the students don't feel safe, particularly the female members will be pulled out and, true or not true, the male students go where the female students go, and the impact on our education and our college system and the dollars it brings in -- This is the largest employer, is it not?

The Chair:

Councilwoman Madoff, are you going to call a post agenda on that issue?

Michelle Madoff:

I just wanted to raise the issue. I'd like to see how my colleagues think about it. Let's chew on it a little bit. We don't have to have everything that minute. Let's see how things evolve. But if it

doesn't get any better in the near future, I would like to at that point have some kind of meeting. Perhaps the President of Council would decide at some point when he thinks its appropriate, and whoever is on the Committee on Safety --

The Chair:

Councilman Onorato.

Michelle Madoff:

Well, you may decide that you wish to hold a post agenda.

Mr. Cohen moved to approve the Minutes of Tuesday, December 17, 1991 and Tuesday, December 31, 1991.

Mr. Darkins seconded the motion.

Which motion prevailed.

And on the motion of **Mr. Cohen**

Council adjourned.

MUNICIPAL RECORD

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No. 3

Municipal Record

ONE-HUNDRED TWENTY-SEVENTH COUNCIL

JACK WAGNER President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER Asst. City Clerk

Pittsburgh, PA
Tuesday, January 21, 1992

PRESENT:

MR. COHEN	MR. O'CONNOR
MR. DARKINS	MR. ONORATO
MR. FERLO	MR. RICCIARDI
MICHELLE MADOFF	MR. WAGNER
MR. MILLIONES	(Pres't)

The Meeting was opened by the recitation of the Pledge of Allegiance to the Flag of the United States of America, and a moment of silent prayer for peace throughout the world.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Cohen presents

No. 102 WHEREAS, The National Council of Jewish Women, founded 99 years ago, has fostered and promoted democratic ideals and cherished values of community service, education and social action; and

WHEREAS, the Pittsburgh Section of NCJW, established in 1893, is one of the oldest and largest NCJW sections, with 2250 members, including working professionals, homemakers, single parents, and men; and

WHEREAS, the Pittsburgh Section of NCJW is involved in numerous community service programs, including: Council Care Adult Day Care for the Alzheimer and memory impaired; Children's Waiting Rooms in Family and Juvenile Court; Home Instruction Program for Preschool Youngsters (HIPPY); New American Resettlement; and Student Aid, providing scholarships and loans to college-bound students.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh acknowledges and commends the Pittsburgh Section of The National Council of Jewish Women for its 99 year history of outstanding and innovative service to the women, men and children of the City and urges these fine volunteers to continue their excellent work; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh proclaims January 20-27, 1991 as "National Council of Jewish Women Week" in the City of Pittsburgh.

Mr. Cohen moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Cohen:

Thank you very much, Members of Council.

NCJW, The National Council of Jewish Women, really has a rich tradition of helping people and we mentioned many of the programs that it has, one of which City Council has been funding, at least the last couple of years has provided a contribution, and that is Council Care. I think that that program really has been very successful in the City.

We're fortunate this morning to have Merrille Weissman with us who is the President of the Pittsburgh section of The National Council of Jewish Women.

So, Merrille, congratulations on 99 years. I hope you have many, many more years in the future and we'd like you to say a few words.

Ms. Weissman:

I'd like to take this opportunity to thank City Council for the proclamation that you shared with us today, and especially our sponsor, Dan Cohen, who has been a key direct service volunteer when his free time permits.

I accept this proclamation on behalf of our 2,200 volunteer members. They have been,

and they remain, a dynamic presence in our community.

The National Council of Jewish Women has been in Pittsburgh for 99 years. We are the oldest major Jewish women's organization in the United States, and Pittsburgh was fortunate enough to have one of the founding chapters in our country. We are 100,000 strong across the nation and next year in 1993, locally and nationally, we will be celebrating our centennial.

We are committed to advancing human welfare through volunteers engaged in programs of education, advocacy and direct community service.

We thank you for your support, your encouragement and your cooperation, and we do look forward to another 99 wonderful years in this community. Thank you.

Mr. Cohen presents

No. 103 WHEREAS, Gabe Guerrieri and Inez Gecca moved to America from Italy when they were children; and

WHEREAS, Mr. and Mrs. Guerrieri were married on January 11, 1942, raised two sons, Vincent and John, and have been residents of Bloomfield for over 55 years; and

WHEREAS, Saturday, January 11, 1992 is the 50th Anniversary of the marriage of Gabe and Inez Guerrieri.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh congratulates Gabe and Inez Guerrieri on their 50th Wedding Anniversary and declares Saturday, January 11, 1992 as "Gabe and Inez Guerrieri Day" in the City of Pittsburgh.

Mr. Cohen moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Ferlo presents

No. 104 WHEREAS, the Housing Authority of the City of Pittsburgh has prepared a grant proposal to the United States Department Housing and Urban Development to develop a public housing youth sports program; and

WHEREAS, the initiatives outlined in that proposal promise a successful integration of the Boys and Girls Clubs of Western Pennsylvania program models with other relevant service providers in public housing communities; and

WHEREAS, the Boys and Girls Club's formal recreation program offers a unique blend of traditional and non-traditional sports activities; and

WHEREAS, the Boys and Girls Club's Gang Prevention Program and the Smart Moves Program provide drug, alcohol and teen pregnancy prevention programs for children and their families.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby support the Housing Authority of the City of Pittsburgh's grant proposal to the United States Department of Housing and Urban Development and urges HUD to award the request grant; and

BE IT FURTHER RESOLVED, that the Council does look forward to working with the Housing Authority in implementing innovative approaches offering alternatives to substance abuse for our youth in public housing communities.

Mr. Ferlo moved to adopt the resolution.

Mr. Ricciardi seconded the motion.

Which motion prevailed.

Mr. Ferlo:

I just want to state that this is a joint application with the Boys and Girls Club of Western Pennsylvania and I ask for a letter of support that will go in with the application to HUD.

Mr. Cohen presented

No. 70 An Ordinance supplementing the Pittsburgh Code, Title One - Administrative, by adding Section 182 - Job Sharing, to allow non-union employees of the City of Pittsburgh to share the responsibilities, duties and benefits of certain full-time positions. ---**(SPONSORED BY MR. COHEN)**

Which was read and referred to the Committee on Finance.

Also,

No. 71 Resolution authorizing the URA of Pgh. to acquire all of the City's right, title and interest, if any, in and to the publicly-owned property in the 12th Ward of the City of Pgh., designated in the Deed Registry Office of Allegheny County, as Block 125B Lot 167, under the Residential Land Reserve Fund.

Also,

No. 72 Resolution approving execution of a Contract for Disposition of Land by and between the URA of Pgh. and Abraxas Group, Inc. for the sale of Block 125B Lot 167 in the 12th Ward of the City of Pittsburgh.

Which were read and referred to the Committee on Planning, Housing and Development.

Mr. Cohen moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Darkins seconded the motion.

Which motion prevailed.

Mr. Ferlo presented

No. 73 Resolution approving the recommendation of the Historic Review Commission to expand the Schenley Farms Historic District to include all that property located at 4423 Bigelow Boulevard designated as Block and Lot No. 27-L-212 and located in the 4th Ward, City of Pittsburgh, commonly referred to as the site of the Syria Mosque.
---(SPONSORED BY MR. FERLO)

Which was read and referred to the Committee on Planning, Housing and Development.

Mr. Ferlo moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Darkins seconded the motion.

Which motion prevailed.

Michelle Madoff presented

No. 74 Resolution amending a portion of "Other Authorizations" of Resolution No. 1294, approved December 31, 1991, entitled: "Making appropriations to pay the expenses of conducting

the Public Business of the City of Pittsburgh and for meeting the debt charges thereof for the Fiscal Year, beginning January 1, 1992", by providing guidelines for selection of a professional auditing firm, and by providing specific dates for completion of the audit.

---(SPONSORED BY MICHELLE MADOFF)

Which was read and referred to the Committee on Finance.

Michelle Madoff moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Milliones presented

No. 75 Resolution authorizing the issuance of a warrant in favor of the Commonwealth of Pennsylvania to refund reimbursements received from Pittsburgh Clean City Committee and Program Research and Development for disallowed costs from the subrecipient audit for the period ending June 30, 1989. The total warrant will not exceed \$583.81, chargeable to and payable from the JTPA-1 Trust Fund.

Which was read and referred to the Committee on Finance.

Mr. Milliones moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Onorato seconded the motion.

Which motion prevailed.

Also,

No. 76 Resolution authorizing the issuance of a warrant in favor of Equibank in the amount not to exceed \$10,000.00 in payment for a one million dollar letter of credit for the City of Pittsburgh's Workers' Compensation Program, chargeable to and payable from Code Account 44, Workers Compensation, Department of Finance.

Also,

No. 77 Resolution authorizing the issuance of warrants to various insurance companies in the aggregate amount not to exceed \$40,000.00 in payment for excess liability insurance and a self-insurance surety bond for the Workers Compensation Program.

Also,

No. 78 An Ordinance amending the Pittsburgh Code, Title Two, Fiscal, Article I, Administration, Chapter 211 Tax Collection suits, Section 211.02, Time Limitation to Commence Suits; Exceptions, by eliminating certain inconsistencies in time limitations.

Also,

No. 79 An Ordinance amending the Pittsburgh Code, Title Two, Fiscal Article I, Administration, Chapter 211. Tax Collection Suits, Section 211.03 Limitation on Assessments, by further eliminating certain inconsistencies in time limitations.

Also,

No. 80 Resolution providing for an Agreement or Agreements with an accounting

firm to provide professional auditing services as required by the Pennsylvania Department of Labor and Industry in connection with the Job Training Partnership Act (JTPA) Program and providing for the payment of costs thereof.

Also,

No. 81 Resolution providing for an Agreement or Agreements or for the use of existing Agreements with a Consultant or Consultants for a mixed media package in connection with the Fair Housing Assistance Program of HUD, and providing for the payment of the costs thereof.

Also,

No. 82 Resolution providing for a professional services agreement or agreements or to use existing agreements for the provision of support services to City Information Systems and for the provision of designing/programming new or revising existing miscellaneous data processing and/or automated information systems/applications for the Dept. of Finance as well as other City Departments at a cost not to exceed \$136,000.00.

Also,

No. 83 Resolution providing for a professional services agreement or agreements for the provision of training City employees in the use of personal computers and personal computer software packages at a cost not to exceed \$30,000.00.

Also,

No. 84 Resolution providing for a Contract or Contracts, or the use of existing Contracts, for the furnishing and delivery of Braille computer products at a cost not to exceed \$34,600.00.

Also,

No. 85 Resolution providing for the filing of a petition or petitions for the sale of certain properties in various Wards of the City of Pittsburgh, acquired at tax sales in accordance with Act No. 171 of 1984.

Also,

No. 86 Resolution providing for the conveyance by the City of Pgh. of certain property, under Act No. 171 of 1984, entitled, "Second Class City Treasurer Sale and Collection Act," effective December 11, 1984. Property located at 1528 Rutherford Avenue, 19th Ward.

Which were severally read and referred to the Committee on Finance

Mr. O'Connor presented

No. 87 Resolution authorizing the issuance of a warrant in favor of the Pittsburgh Symphony, in the amount of \$35,000.00, in payment for services provided to the Department of Parks and Recreation, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof.

Also,

No. 88 Resolution authorizing the transfer of the aggregate amount of \$5,050.00 from Code Account 1800, Salaries, Regular Employees to Code Account 1818, Maintenance Wages, Regular & Temporary Employees, and to Code Account 1828, Salaries & Wages Regular Employees Point State Park Division, all in the Dept. of Parks and Recreation.

Which were read and referred to the Committee on Finance.

Also,

No. 89 Resolution providing for an Agreement or Agreements with an independent contractor for the purpose of maintain the bonsai collection at Phipps Conservatory at a cost not to exceed \$28,750.00, chargeable to and payable from Code Account PCTF, Phipps Conservatory Trust Fund in the Dept. of Parks and Recreation.

Also,

No. 90 Resolution providing for a license to Duquesne Light Company for the installation, use, operation, maintenance, repair, renewal, and finally, removal of an overhead electrical system on certain property of the City situated in the 5th Ward in connection with furnishing electric service to Kennard Park.

Also,

No. 91 Resolution providing for a Lease or Leases and/or a License or Licenses for the use of certain property for a Community Recreation Center located at 200 Tabor Street at a yearly rental cost not to exceed \$9,000.00, payable from Code Account 1801, Misc. Services, in the Dept. of Parks and Recreation.

Also,

No. 92 Resolution providing for a Lease or Leases and/or License Agreements and/or Management Agreements for use of certain property and provision of center services to senior citizens in an amount not to exceed \$182,364.00, chargeable to and payable from (SCPTF), Senior Citizen Program Trust Fund.

Also,

No. 93 Resolution authorizing the City to enter into a lease and operating agreement or

agreements with Neville Ice Arena, Inc. for the construction, use, operation and management of a Dek hockey rink or rinks at the site of the City's open-air tennis courts in the 16th and 17th Wards, adjacent to the Neville Ice Rink, to be used for Dek hockey and for other recreational purposes.

Also,

No. 94 Resolution authorizing the Director of the Dept. of Parks and Recreation to increase certain admission fees at the Pittsburgh Zoo, effective January 1, 1992.

Which were severally read and referred to the Committee on Parks and Recreation.

Mr. Onorato presented

No. 95 Resolution further amending Res. No. 616 of 1989 as amended by Res. No. 762 of 1990 and entitled: "Providing for the filing of an application by the City of Pgh. with the Federal Government for a grant in connection with the National Institute of Justice, providing for required assurances; providing for execution of payment Vouchers on Letter of Credit and for certification of authorized signatures; creating a Special Trust Fund in connection with the Project; and providing for the deposit of funds in a bank account," by increasing the grant amount from \$317,269.00 by \$654,758.00.

Also,

No. 96 Resolution authorizing and directing the City Controller to create a special trust fund, to be designated as the Pennsylvania Emergency Management Agency Trust Fund (PEMATF), for the deposit of monies from State Reimbursements and authorizing the use of monies deposited into said trust fund by the Dept. of Public Safety to cover any and all expenses excluding wages and salaries for the Communications Division.

Which were read and referred to the Committee on Public Safety.

The Chair presented

No. 97 Communication from Ben Hayllar, Director, Department of Finance, submitting a report of deposits and the market value of securities pledged as collateral by City Depositories as of November 1991.

Which was read, received and filed.

REPORTS OF COMMITTEES

Mr. Milliones presented

Bill No. 98

Report of the Committee on Finance for January 15, 1992 transmitting sundry resolutions and one ordinance to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 28

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Delaney Jackson, 5825 East Liberty Boulevard #4, Pittsburgh, PA 15206, in the amount of \$200.00, in payment for professional consulting services rendered to Councilman Jim Ferlo for the month of January 1992."

---(SPONSORED BY MR. FERLO)

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 9 NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 29

A Resolution entitled, "Resolution Repealing Resolution No. 690, approved August 6, 1986 entitled, 'Repealing Resolution No. 1202 of 1985, and establishing the Retirees' Pension Trust Fund and certain funding and disbursement guidelines for such trust fund and authorizing and directing the appropriate City Officials to carry out such guidelines." --(SPONSORED BY MR. FERLO, MR. RICCIARDI, MR. DARKINS, MR. COHEN, & MR. WAGNER)

Which was read.

Also,

Bill No. 30

A Resolution entitled, "Resolution establishing the Retirees Additional Benefits Trust Fund (RABTF) and certain funding and disbursement

guidelines for such trust fund and authorizing and directing the appropriate City Officials to carry out such guidelines." --(SPONSORED BY MR. FERLO, MR. RICCIARDI, MR. DARKINS, MR. COHEN, & MR. WAGNER) (AS AMENDED IN COMMITTEE)

Which was read.

Mr. Cohen:

Mr. President, I'd like my comments brought forward on Bills 29 and 30 regarding the retirees pension fund, please.

(REMARKS ON FOLLOWING PAGES)

(BEGINNING - MR. COHEN'S COMMENTS ON BILL NOS. 29 ■ 30,
WEDNESDAY, JANUARY 15, 1992).

Mr. Cohen:

Councilman Ferlo, let me just ask you one question. If there any substantive difference between the bill that we just received now and the one that we had yesterday?

Mr. Ferlo:

The only substantive difference is the adding or the mention of health-care benefits. There's some implication of the State Act that when the State gives our retirees a cost-of-living consideration and that if a local municipality also gives them some consideration, the State would consider that as a deduction and I don't think that's our intent. We don't want to have them lose something from us if the State increases the cost-of-living. So we're making reference here to any cost-of-living that we give as a result of recognizing that they have increased health care obligations. That's the only difference.

Mr. Cohen:

Do you feel comfortable that the State is going to come up with that money?

Mr. Ferlo:

Yes.

Mr. Cohen:

Yes. The other question is, has the City Solicitor looked at this?

Mr. Ferlo:

I don't believe so, no.

Mr. Cohen:

I think what we should do -- at least what I would like to do is move ahead and vote on this. I very much support it and I think it's the right thing to do and would like to move quickly also on establishing a commission to find a permanent funding source. I would be happy to be on that committee or contribute to it so that we cannot get in the position where we were at the

end of last year which was really scrambling for money to try to get the retirees for what they justly deserved. Let's move ahead.

(END OF COMMENTS)

PREPARED BY: MARY ANNE HRUSKA
STENOTYPE REPORTER

Also,

Bill No. 39

A Resolution entitled, "Resolution providing for conveyance by the City of Pittsburgh of certain property, under Act No. 171 of 1984, entitled, 'Second Class City Treasurer Sale and Collection Act', effective December 11, 1984."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 59

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Public Strategies, Inc., One Bigelow Square, Suite 616, Pittsburgh, PA 15219, in the amount of \$1,600.00, in payment for professional consulting services rendered to Councilman

Eugene Ricciardi for the month of January 1992." **---(SPONSORED BY MR. RICCIARDI)**

Which was read.

Also,

Bill No. 60

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Campbell Horgan, Studios 4606 Penn Avenue, Pittsburgh, PA 15224, in the amount of \$1,500.00, in payment for a granite memorial honoring Officers Grill and Herron, erected at the South Side Police Station." **---(SPONSORED BY MR. WAGNER & ALL MEMBERS OF COUNCIL)**

Which was read.

Mr. Ricciardi:

On Bill No. 60, the granite memorial honoring Officers Grill and Herron, for the public's information, the memorial service will be at the South Side Police Station on January 30th at 2:00 p.m. honoring the two officers who lost their lives in the tragic vehicle accident. Hopefully my colleagues will have a memorandum delineating that. Thank you.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 9 NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 61

A Resolution entitled, "Resolution amending Resolution No. 733, approved July 26, 1991, entitled, 'A Resolution providing for an agreement or agreements with a consultant for professional services for the evaluation of personnel and position structures in the Office of the City Clerk,' by deleting the name 'President of City Council' and inserting the name 'City Solicitor'."

---(SPONSORED BY MR. WAGNER)

Which was read.

Michelle Madoff:

Mr. President, on Bill 61, this is just a housekeeping correction, but I would also like to call to the public's attention that Council is not afraid to take a look at its own house. One of the things that we need to do, perhaps when we give resolutions we should give one to Mike Perry because over the years he has cut the cost of printing the Municipal Record by thousands and thousands and thousands of dollars and tightened his staff and I don't think he has gotten credit for it. I say that because I'm going to talk about another item at the end of the meeting. Thank

you.

Also,

Bill No. 62

An Ordinance entitled, "An Ordinance amending Pittsburgh Code, Title One - Administrative, Article XI - Personnel - Chapter 180 - Personnel Administration, Section 180.01(a)(3), by adding and deleting positions in the City Clerk's Office."

---(SPONSORED BY MR. WAGNER)

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Darkins presented

Bill No. 99

Report of the Committee on Public Works for January 15, 1992 transmitting two resolutions to

Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 12

A Resolution entitled, "Resolution providing for an agreement or agreements or the use of existing agreements for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh effective January 1, 1992 and providing for the payment of the cost which is not to exceed \$550,000.00 and is chargeable to and payable from Code Account 1176, Index Code 117606, Miscellaneous Services in the Department of Environmental Services. The total of \$550,000 is for administration, marketing city neighborhoods and lot clean up services in relation to educating the public on litter."

Which was read.

Also,

Bill No. 13

A Resolution entitled, "Resolution granting unto Duquesne University, 600 Forbes Avenue, Pittsburgh, PA 15282, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a portion of the right of way of Locust Street in the 1st Ward, 6th Voting District of the City of Pittsburgh."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Cohen presented

Bill No. 100

Report of the Committee on Planning, Housing and Development for January 15, 1992 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 7

A Resolution entitled, "Resolution providing for the authorization and transfer to the General Fund of the City of Pittsburgh for reimbursement of Salaries and Indirect Costs for the Community Development Block Grant Program."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass

finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

MOTIONS AND RESOLUTIONS

The Chair presents

No. 101 Resolution reappointing Kurt Salac, 2125 Callio Street, Pittsburgh, Pennsylvania 15210, to the Equipment Leasing Authority for a five year term to expire December 31, 1996.

Which was read.

Mr. Ricciardi moved to approve the appointment.

Mr. Ferlo seconded the motion.

The Chair:

Is there any discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the appointment of Mr. Salac was approved.

Michelle Madoff:

On the bill amending Council's recommendation that we do an independent audit on the Controller's Office. On that issue, I'd like to discuss something that pertains to the bill.

We are in a very tight time-frame and I'd like to expound on that if I may. In light of the pending legislation filed by the City Controller, Tom Flaherty, naming Sophie Masloff, Mayor, and myself singled out from Council, I am today introducing an amendment to the legislation passed by Council requiring an independent management audit of the Controller's Office.

My amendment places a time frame - we neglected to do that in the heat of the budget - on the mandated audit and requires Council, the Administration and the Controller, to propose three names. These names are to be filed with the Controller's Office as an act of good faith by December 7, 1992. All parties shall meet and mutually agree on an auditing firm by February 14, 1992. The firm selected shall begin the audit by March 2, 1992 and supply Council with a preliminary report by June 1, 1992 and a final report by June 29, 1992.

During the 1992 budget deliberation, an

amendment was introduced by Mr. Ferlo mandating the independent performance audit of the City Controller's Office. The purpose of the amendment is to determine the appropriate staffing levels of the Controller's Office in correlation to the duties as set forth by the City's Home Rule Charter. The Controller's irresponsible re-action to our motion, to the budget cuts, by retaining employees and dragging the City through yet another frivolous lawsuit will endanger the City's ability to pay its bills from October until the end of the year.

It is essential that Council act immediately on this matter, which is why I'm waiving Rule 8, since the Controller has threatened to shut down the City when the money runs out. The issue of staff size and overall appropriations in the Controller's Office should be settled by a team of independent management experts and not the court. If the Controller refuses to allow the performance audit, the public and the courts will then understand that he is once again stonewalling and does not want the truth known.

That leads me to another issue, which is why I brought it up today and didn't wait until tomorrow. As my colleagues may remember, even those who were not here, I was unfortunately involved in litigation concerning a former Councilmember. At that time, I had great concerns about who pays when any of us is singled out and involved in litigation.

For the benefit of those who may not know, at absolutely rock bottom cost, the three years that I was represented by the firm of Yale Gutnick, the bills came to well over \$35,000. He did it pro bona. He did not charge us a dime.

But I was then subpoenaed again in a civil suit by the Post Gazette that the family brought on the issue and I was again subpoenaed. At that point, the fee was \$2,900 and I needed Council to do that. There was no way I was going into that

arena without a private attorney. Graciously, the firm took the \$2,900 from the City and donated the money to Make-A-Wish, which I think sets a wonderful example.

But we cannot as Members of Council or as a department head or as an Administrator in this City, count on somebody going to give us pro bona, that we're going to be represented gratis. And even those lawyers on this Council may feel that they don't want to represent themselves in case they are challenged and have to appear in the courtroom.

Now, you may recall and there's a track record and there's a record of the Minutes on what was decided. There was a lot of discussion which revolved around if you're going to need an attorney, that we should request it and let them know and let the Law Department, the Administration, know what we want this representation for.

But, what do you do if you're dealing, as I was, in a very secretive manner? I was working in conjunction with the FBI, at their request, and I was told not to say anything. Nobody was supposed to know. Whatever I said privately was to protect myself, and I hope I have been able to do that.

Now I am being subpoenaed and obviously I am not going to that courtroom without representation of counsel. And I want to go on record, and I would like to make a motion that counsel is provided to me and any other Member of this Council who may be called who voted based on, I believe, the evidence and the study that was done which, incidentally, the Administration is confirming, that any of us who are called will have representation. And since I have been personally named, I am respectfully requesting that and I need some guidance from the President of Council and maybe Mike Perry as to how we go about it. Do I need to, by floor

motion, request it? Do I need to go to the Law Department? We never really clarified that issue at the time.

We do know that if we go to court, my attorney or whoever represents me goes to court, that chances are 1000 out of 1000 that the City would have to pay for that representation. But then we have the lawsuit factor involved. We had to sue to get paid.

As I said, I was subpoenaed, or am about to be subpoenaed. I am involved in this litigation and I guess I should be preparing to confirm my findings on the study. I have no problem with that and, once again, I did not compare Controller's Office with Controller's Office, but with job with job. We found out that in some cities payroll is paid by Finance —

The Chair:

In regard to the issue.

Michelle Madoff:

I'm just making the point that I need to deal with this issue and I'm just expanding on how serious the issue is.

The Chair:

It's my interpretation, correct me if I'm wrong, Mr. Perry, either our Law Department could be our representation, or you would follow a similar suit to previous precedent.

Michelle Madoff:

Well, I think it's inappropriate for me to have our Law Department representing me. I would like to have somebody that I work with, that is my own counsel, not the counsel to the Mayor. There's a different agenda there. That's not the same agenda.

Mr. Ferlo:

Mr. Chairman, I didn't vote for any cuts in the Controller's Office other than some minimal cuts that were suggested initially by the Administration and the Controller's desire to realign some of the budget positions himself making an offer to Council.

I'm letting this Council know, and I'm making it very clear, I'm not paying for any outstanding legal bills for Jim Ferlo, for Michelle or anybody else in regards to this lawsuit. I didn't agree with the majority opinion but the majority opinion of Council cut the budget, it became law, and it's up to the City Solicitor to represent City government, in this case both Council and the Administration, in regards to this issue. I didn't support the issue but procedurally it's up to the Solicitor to do that.

I'm just letting it be known very clearly right now that I'm not paying for any outside legal expenditures for this soap opera that's about to unveil in the courtroom downstairs.

Michelle Madoff:

It is a soap opera and it was not initiated by this Council.

The Chair:

You're out of order, Councilwoman Madoff.

Mr. Ricciardi:

Mr. President, two years ago working with the Administration, this body, I believe, established a policy on representation for us. I believe the policy stated that we would first consult with the Law Department and have the Law Department represent us in any type of court

proceedings.

However, the policy also went on to say, and I haven't reviewed it for two years, that if we felt uncomfortable with that, that we had the ability to come back to this table before we hired counsel and pass a resolution and it could be approved.

Even though I did not support the majority of the cuts in the Controller's Office, this body did pass it and it did become law or it did become a budget deliberation or a budget procedure matter. So, I would disagree with my fellow Councilmember, Jim Ferlo, and support a request from Michelle Madoff of representation if she did not believe our Law Department could do it. But, Michelle, you would have to come to this table with a written resolution in the form of a prior approval of a warrant, I believe.

Mr. Cohen:

Very briefly, Mr. President. I do think that somebody who goes into court who is a City employee should be able to get the attorney they feel comfortable with. But, remember, Michelle, that that would apply across the board. That includes the City Controller as well. So, if we're going to have a policy like that, it should apply across the board. But I don't think that somebody should go into court, especially if there's potential liability there, if they for some reason don't feel comfortable with their attorney.

The Chair:

I just want to state that we have nothing in front of us right now. We are simply talking. And I would prefer that this Council really not even deal with that issue unless there is an issue in front of us.

Michelle Madoff:

I wish to respond to both Mr. Ricciardi and to Mr. Cohen.

The Controller does indeed have his own counsel. I think he pays him over \$60,000 a year and is somebody of his own choice. I believe that the legislation went beyond the point of we requested here in Council because of the problem of confidentiality. Sometimes nobody is supposed to be knowing that we are dealing and need representation. Something could happen that you know, Mr. O'Connor, that you're not privy to make public and you're involved in litigation because you're a public figure. You would need protection.

I believe that part of the legislation is not accurate, as reported. I think we need to take a look at that legislation and we need, once more, to ask the Administration because, basically, I'm not only asking for myself or Council as a body because we passed the legislation, but it could happen to anybody. This is a new Council and they need to know what their protection is. We don't carry insurance. We don't carry the kind of insurance corporations carry for their boards.

I would not feel comfortable going into a trial -- I have been told that I'm being subpoenaed through the media and I would like to have my own counsel.

Now, I believe it may not even take a motion of this Council. I don't know. But I think it's something we all better look at. And I would like to respectfully ask, Mike, if you would get the legislation and give it at least to our two attorneys sitting on Council and the other official people who passed the bar, and I don't mean the one to drink in. A number of people have legal counsel available to look at the legislation. I don't think that that's the procedure. I don't believe that we come to this Council and say, "May I?"

because if somebody is in disfavor in this Council and they say, "No, you may not." that is not the proper forum. As I said, they'd win it in court anyway.

The Chair:

Mr. Perry, would you please provide the budget directive to Councilwoman Madoff and copy all Members of Council according to the Charter, past precedent. Thank you.

Mr. O'Connor:

I was just curious. Who pays for the Controller's counsel?

Michelle Madoff:

We vote \$60,000 or better --

Mr. O'Connor:

So he has his own counsel.

Mr. Cohen:

Local taxpayers.

Mr. Onorato:

Mr. President, I'd like to make a few comments on the current news of the Pittsburgh Public Theater on the North Side. I'd like the public to know where I stand and hopefully the majority of this Council stands.

I have a problem when we are dealing with public money, City money, bond money, and we go to relocate a very strong asset on the North Side to another neighborhood within the City.

I have been looking at this issue even before I was elected on Council through the citizen groups on the North Side and we've been

told by the Public Theater and by the Cultural Trust that they would work to fill the vacancy left by the Public Theater move and fill that vacancy with another theater company.

I would like to state now that if we use any public dollars to move the Public Theater to the Downtown Cultural Trust District, that the City, before they vote yes for this move, look at the other projects right now in the lower part of the North Side. We have the Federal North Project, we have the Allegheny Center Mall problems right now with Sears moving out, and now we have the Public Theater thinking of moving out over the next couple of years.

The North Side has been coming to Council over the last several years with these projects and nothing to date has happened over there with the Federal North Project. Now we have an emergency situation at the Allegheny Center Mall Complex with Sears moving out.

So, I'm looking forward to the commitment from the Public Theater, from the Cultural Trust, and from the elected officials here before we approve any movement of dollars to have commitments to either replace or rebuild and add new facilities on the North Side because I do not think that we should gut one neighborhood to improve another unless we make provisions to take care of the neighborhood that's being vacant.

Michelle Madoff:

Mr. Onorato, many of your points are very valid. I might add that we in Council voted \$90,000 to put a new roof on that building. We own that building.

Mr. Onorato:

I know we do.

Michelle Madoff:

We spent that kind of money so I can see where you're coming from and I read a great deal about the impact it would have on your community.

But there are two sides to every issue. I believe personally that the proper location for the Pittsburgh Public Theater belongs in the Cultural Trust area. But that doesn't mean that you hurt one area to help another.

What I would like to suggest to you, some ideas have been floating around for some time. One notable one that I can recall, and it may still be viable, is the Civic Light Opera has thought about creating jobs in the community by giving particularly underprivileged children and those with some talent a chance to go to a school and learn to be prepared to go into local theaters that are going on here. We have had tremendous talent come out of this community, as you know, and that would be a wonderful operating theater for training and developing talent. So, it isn't something that should just go down the tubes and I think we will use the building.

Now, when you start talking about a community that is being basically raped to help some other community, and it hasn't had its fair allocation of dollars, I can tell you that if you want to compare your community with my community, I think we'll come out, unfortunately, lower than your's will on the kind of dollars that have been allocated.

One of the legislations that I'm about to prepare, and if you'd like to help me with it I'd be delighted, is to have legislation that does equitable division of the kind of monies that we give out every year that help communities. It is without question, and this is something again for those who may not have been here, and I'm repeating myself but it's worth repeating -- One

of my least favorite people on this Council was Robert Rade Stone; however, Robert Rade Stone introduced a piece of legislation and repeatedly stated that those -- He didn't introduce legislation but he commented repeatedly that those communities that had structure, that had experience, that had talent, who were able to organize their communities, and I use the word organize because that seems to be a dirty word with the Administration, were able to put together people like Sandy Phillips when she was in Oakland or people like Aggie Brose out of Bloomfield or Rick Schwartz, etc., or the people in the North Side. Those are the communities, those special pockets, who got all the money. And when I say all the money, I mean millions whereas other communities got nothing.

For example, in my district there's a community that doesn't have a senior citizen place. It is in a basement, way down a steep basement stairs. They've been saying, "We're going to give you a building" and every year they say, "We don't have one; we can't find one." They never built one for it.

If we had equitable distribution of the monies to each community, my community would have that community center, your community would have some of the things you need, and all the money wouldn't go to those certain communities.

Mr. Ricciardi:

I'd like to defer to Councilman Onorato since he brought up the issue, but then I would like to have the floor after that, Mr. President. Thank you.

Mr. Onorato:

Thank you, Councilman Ricciardi.

I'd like to respond briefly to what

Councilwoman Michelle Madoff mentioned. I look forward to working with any group and any ideas of what we can do with the building. My concern is, whatever group goes into the Public Theater location can draw a similar crowd or a crowd that can use the other facilities around the Allegheny Center Mall area. We do have a mall there. We do have the Children's Museum, and now the Buhl has moved down by the Stadium, so that's vacant. But the idea of the Public Theater is, we had a large crowd coming in every night of the week and on weekends. That's what I'm concerned with, the people movement going through that area.

The suggestion you made might be fine. I'm not sure what kind of crowd would be involved watching the children there.

So, that's what I'm looking for. I'm keeping an open mind. And I think one big difference between the allocation of money you were talking about to the neighborhoods is that we're taking public dollars to move a facility here. I'm not saying that we want money here; I'm saying that we have a facility and now we're moving it, based on public money allocation. There's a big difference and that's what I'll keep my eye on to make sure that we don't use our public dollars to take from one neighborhood to another without replacing what was there with something comparable.

Mr. Ricciardi:

I believe Mr. Onorato's argument and statements have merit. I'm very pleased that the Pittsburgh Public Theater is enjoying success in the City of Pittsburgh and continues to foster. If my colleagues will remember, the Administration came before us a few months ago, sometime last year, with a bond issue for us to approve in this body which we did not because it was held.

The bond issue had three components. The first component was the Western Pennsylvania Historic Society in the Strip, the second was the purchase of land across from the Convention Center, and the third was concerning the Cultural Trust and having the potential of moving the theater from the North Side into Downtown Pittsburgh. The record will clearly state at that time that I had great concerns of that and I said that we needed a public policy when we were dealing with public monies, especially when it came to taking from one community and giving to the other.

I would like to put a resolution before City Council that we request the Administration if we have any type of public policy written dealing with using public monies transferring assets to other neighborhoods. I'll try to say that very succinctly. Again, in retrospect, I would like a resolution requesting the Administration to provide City Council with a public policy that we have now in effect dealing with public dollars in moving assets from one neighborhood to another.

Mr. Ferlo:

Second for discussion.

The Chair:

Is that an item that you would like us to vote on right now?

Mr. Ricciardi:

Yes.

Mr. Ferlo:

Mr. President and Members of Council, as a follow-up to Mr. Onorato's initial comments and now the suggestion by Mr. Ricciardi, I've been thinking along the same vein but I think we

need to direct our comments a little more appropriately to the key players that are on the stage right now as it relates to this issue, and they in fact are the Administration.

I support the notion of what Mr. Ricciardi is saying but I think we need to be very specific. It's very clear, I think it's very clear at least to me, that the Administration already has made a commitment to the Pittsburgh Public Theater and to the Cultural Trust regarding allocation of a future bond issue coming to Council for this theater complex, the movie house, office building, theater complex that the Pittsburgh Cultural Trust is proposing. I don't think there would have been such a commitment made and a pronouncement in the morning paper by the Pittsburgh Public Theater without that commitment cast being dyed with the Administration. I think they pretty much have made that commitment.

A month ago the Mayor appeared with Commissioner Foerster at a press conference regarding a similar commitment, which I support, for the renovation of Edelman Lumber Building for the Western Pennsylvania Historical Society's move from Oakland down to the Strip.

I think as sort of a friendly amendment to what Mr. Ricciardi is saying, I think what we need to do is to pass a resolution, and part of what Mr. Ricciardi is saying, but I think we need to be directed specifically that when the Administration returns to Council for a bond issue and/or other public dollar commitment for such a move, that at that point they also have with them on the table a specific proposal, as Mr. Onorato is saying, for other re-use of the building so we're not displacing one for the other.

I don't think anybody argues with the fact that without public dollar commitments the Pittsburgh Public Theater, as far as I'm concerned, they have the freedom to do what they

want just as any other private sector. But where the difference is, we're talking about the massive involvement of the public sector and an infusion of dollars.

So, I think when and if the Administration comes back to Council next week or in three months for a bond issue for the Convention Center, for the Strip District proposal, for the Historical Society and Pittsburgh Public, that they should also have on the table a proposal regarding how the Pittsburgh Public Theater on the North Side is going to be used. That's as a friendly amendment to Gene's comments.

Mr. Ricciardi:

I'll accept that amendment and second it.

Mr. Ferlo:

We need to direct their energies. I don't think they have a policy. I think there are some who have bought into this notion that we need to centralize from an economic development point of view, that we need to centralize major cultural amenities into the Downtown sector. I don't support that policy. I think there are many examples, City Theater, activities, and a number of others that show that that's not a good policy, that there are any number of opportunities out there for good cultural amenities that aren't necessarily just based in Downtown.

So, I'd like to offer a friendly amendment that when they do come back to the bond issue that also is on the table, a clear commitment from the Administration regarding a plan for the use of the Pittsburgh Public.

The Chair:

Could we have the motion succinctly restated so we know what we're talking about specifically here?

Mr. Ricciardi:

Number one, we'd like to know if the Administration has a written public policy on use of public dollars when it comes to moving an asset from one neighborhood to another.

Number two, we would like to know when the Administration comes to the table to let us know what their plans are for the future facility on the North Side which once housed the Pittsburgh Public Theater.

The Chair:

On that motion, we're talking about that and that only.

Michelle Madoff:

I'd like to discuss it. In response to the statements that have been made here, what we're seeing here again is a lack of communication. We are not being informed as a body as to what is happening and we ferret out little bits of information.

I have personally been talking to Carol Brown. I am a member; I buy season tickets to the Pittsburgh Public. But I might remind my colleagues and Mr. Ricciardi that the City Theater came out of Oakland, Bouquet Street, and there was a lot of traffic. People were going to the restaurants and they moved to the South Side with our vote because it was the proper thing to do for them because the building was grossly inadequate.

My understanding of the development of the City Theater going into the Cultural District is a public-private partnership. The bond will be covered by the fact that the public-private partnership will include an office building and the rentals from that would offset the bond. That

doesn't mean that we should ignore, by any means, the existing building which I again point out we put a \$90,000 roof on.

The Chair:

I want everyone to know, we're not voting on that now. We're simply requesting communication and information.

Michelle Madoff:

But a lot of things have been said here today that need to be clarified and looked at from both points of view.

The Chair:

Well, when the bond issue comes in front of Council, I'm sure those details will be discussed in great detail.

Mr. Ferlo:

But I think the point is, Mr. Chairman, if I may interrupt, what usually happens is, I don't want to be caught the day and the time that we have to approve a bond issue because I'm very much in favor of the Strip District proposal. We want something pro-active. We want them to come to the table having thought about this and not put us in the position, as Michelle has said many times, where we have to be rushed to judgment and do it 20 minutes to vote. We don't want that to happen.

The Chair:

That's fine. That's what the motion is all about.

Mr. Cohen:

I think the motion is fine and it makes sense, but I think that we shouldn't get away from

what Mr. Onorato brought up at the beginning and that is that he is asking us for something. And if it's true that the decision of the Pittsburgh Public Theater has already been made to move to the Cultural District if that ship has already sailed, then what he is suggesting, and I think it makes a lot of sense, is that we link the public monies that would go towards that complex to making sure that the building that is going to be vacated is used for a proper purpose, one that will hopefully be cultural and one that will enrich the North Side.

So, on that, I just want to make sure that we don't get away from the issue that Mr. Onorato raised. I think it makes a lot of sense and that we should do that.

The Chair:

We have a motion on the floor. All in favor? Opposed?

WHICH MOTION PREVAILED.

The Chair:

I'd like to make a brief comment, not in regard to the motion but in regard to the issue which I have discussed with Councilman Onorato, and I'm pleased to hear that he is making this an issue.

It's my opinion that access to the North Side has impeded growth on the North Side when, in fact, the North Side is the near North Side. In terms of public transportation, it's very difficult to get to the North Side if you are from the East End, the South or the West unless you're going by car. As a matter of fact, most people don't know what routes to take once they take a route into Downtown and then must take a bus to the North Side.

It would be very easy, and it has been discussed but it has never been made in terms of a

priority item, to extend the Light Rail Transit System to the North Side. There is no area in this City that has more public investment beside the Downtown than the North Side.

One of the reasons why Station Square is successful is that the Light Rail Transit goes right by it and a busway goes right by it. There's no reason why the LRT could not be extended from the Pennsylvanian, past the Convention Center, across the old railroad bridge that has one level open, over to the North Side and connected with all the public facilities that exist on the North Side.

In addition to that, the Martin Luther King Busway could be routed along the same route, the same exact route, to the North Side.

It's my opinion if that never happens, that we are going to continually run into economic problems relating to a multitude of facilities and locations on the North Side. And I think we as a Council can make that a priority agenda item with the Port Authority of Allegheny County, with the Commonwealth of Pennsylvania, and hopefully with the Urban Mass Transit Association. And if we do that, that will reassure existence of Three Rivers Stadium, the Science Center, the Aviary, Allegheny Center, and a multitude of other facilities that we're talking about.

So, I would like us as a body to force that as an agenda item also, along with what everyone is talking about.

Mr. Onorato:

I agree, Mr. President.

Michelle Madoff:

On the same subject, I think that the statement you just made is doubly effective because what we're sitting here doing is posturing

and saying we shouldn't do this because people are hurt, react to it. If my community is hurt, I want something to happen. But you can't make the impossible. I mean, if it's not possible to do some things, we need to look aggressively and the kind of suggestion made by our President of Council, Jack Wagner, would solve a lot of the problems. We could have access to the communities and access is what it's all about.

It would be nice if our State Legislators would start to take that into consideration and start to give us some service. And it might not be a bad idea to try to involve our majority Commissioner who just happens to be a North Side resident.

Mr. O'Connor:

On another issue. I'd like to tell Council and the people of the City what happened in my neighborhood on Friday night, what started out to be a wonderful, snowy, wintery weekend.

My son and three or four of his friends were ice skating at Schenley Park. They came home and were sled riding across the street from my house on Phillips Avenue. About nine o'clock, one of them just keeled over. A young, ten year old Greg Rudzki. The kids were in shock. They tried to wake him up. They knew something was wrong and they immediately ran for the parents.

Steve Pepper and a security guard at Heritage House, William Prune, gave CPR to this young man. Within minutes, our Fire Department arrived from Station 6 in Squirrel Hill. The Paramedics from Greenfield were there. All of this happened within five, six, seven minutes. Unfortunately, they couldn't revive him.

They took him to Children's Hospital where, again, we take so many things for granted.

The people at Children's Hospital, and I was there all night, stood there for eight hours working on this young man. Unfortunately, nothing they did or anyone could have done saved him. He was pronounced dead at 4:00.

I just wanted to recognize, on behalf of myself and the family, the tremendous work by our Paramedics, our Fire Department who was the first on the scene, and Children's Hospital who courageously work all evening.

He's a fifth-grader at East Hills School. They're setting up a Greg Rudzki Science Scholarship Fund on his behalf because he was an A student and very active in the science program.

Although nothing will bring him back, I know everyone here supports our Fire and Paramedics and Children's Hospital and I hope in the future we can do what we can not only to support them but maybe to increase that program.

We always talk about Pittsburgh being the oldest community but tragedy fits all ages and I just want to thank everybody involved for all their support and for what they've done. The whole community came together. Thank you.

The Chair:

Thank you, Councilman O'Connor.

I'd like to put a motion on the floor to ask my colleagues to support a public hearing pertaining to the need for additional housing in Downtown Pittsburgh and for a project to begin, the first ever, hopefully sometime in the reasonable near future for riverfront housing.

I think we need to focus on that issue as a body. We have recently read within the last week that a very important project, Armstrong Court, is not moving forward due to a lack of funding or

guaranteed loans from HUD. I think that issue along with simply the issue for the need for Downtown housing and riverfront housing needs to be focused upon here in the City of Pittsburgh, and I'd like to ask for everyone's support for a public hearing on that issue.

Mr. Ricciardi seconded the motion.

WHICH MOTION PREVAILED.

The Chair:

We will set a hearing and, Mr. Perry, we would like a representative from the Mayor's Office, the URA, Planning, HUD, The Golden Triangle Association, BOMA, Station Square, The North Side Conference, The Allegheny Conference, The Downtown Neighborhood Association, and any other group that Council can think of. Thank you.

Mr. Ferlo:

On unrelated issues, Mr. Chairman. One is a housekeeping matter, literally.

The garbage on Mapleton Way in the 11th Ward at the rear of Jackson Street hasn't been picked up for a couple of weeks. I want to apologize if I'm late for the meeting tomorrow morning but if that garbage isn't gone by the end of the day I'm going to pick it up and it's going to go to the City yard but I'm not going to be surprised if some of it ends up on Grafton Street in front of Mr. Turner's house, since he has redesigned and drastically cut the routes, which is basically the route of the recent problem regarding delayed garbage pick up.

So, hopefully he's listening to this meeting. I'd hate to have to embarrass him and his family.

That's Mapleton Way in the 11th Ward. I

have been calling for the last week and a half unsuccessfully. Hopefully that garbage will be gone by the end of the day.

Mr. Cohen:

Very briefly on the same issue. The post agenda on the picking up of recycled bags, garbage bags, will be held a week from today. We wanted to have it this week but the Administration said that they were not available. I think that this actually will allow us to add another issue onto that which is the one that Councilman Ferlo raises. It's very distressing. There are literally neighborhoods in the City that have not had their garbage picked up for over a week and it looks lousy and we need to get it picked up.

So, I think that if it isn't done by the time that Councilman Ferlo picks up the garbage --

Mr. Ferlo:

This garbage is going to be gone by tomorrow morning. Hopefully, it will be gone today.

Mr. Cohen:

Hopefully, he won't have to wait the whole week because we'll have a post agenda on this issue a week from today.

Michelle Madoff:

I wonder whether Council would be willing to incorporate so that we don't have to repeat the hearings ad infinitum because I'm trying to get some meaningful legislation before this Council and get other things done.

The problem is the snow removal. My phone is coming off the hook. The side streets --

The Chair:

We're on the refuse right now.

Michelle Madoff:

Yes, but why not do snow removal at the same time? They're going to say they didn't pick up because of the snow, so why not deal with the two of them at the same time? Is that agreed upon?

The Chair:

Post agendas, historically, have pertained to one issue.

Michelle Madoff:

Not necessarily. We have had three and four issues.

Mr. Ferlo:

They're different departments, Mr. Chairman.

The Chair:

Yes, they are different departments. So, I would prefer that this issue, because it's a serious issue, pertain to --

Michelle Madoff:

And the other isn't serious?

The Chair:

The other one is also, and you can call a post agenda for the same day in regard to that issue.

Michelle Madoff:

Why don't we have one follow the other, Mike.

Mr. O'Connor:

On the trash pick up, I understand, as Mr. Cohen mentioned, the paper pick up, recycling, is a problem. But it was brought to my attention that five or six of the drivers do not have commercial drivers licenses and all this was discovered since that Christmas Eve accident.

I would call on Public Works to check these more regularly so that they're on top of this so that the people don't have to be laid off or suspended. I think if you have to stop five garbage drivers, it's going to have a chain reaction throughout the City and I'd like to know what's being done with it.

The Chair:

I simply don't know why the news paper has become the item that has caused the problem. If that is the case, why don't we temporarily for two weeks say let's put newspaper with the regular trash until we can get back on schedule.

Mr. Cohen:

What we should have done, I think, is we should have had several drop off sites in the City that allowed people to put their newspapers that they have been holding for the last several years, in fact, apparently somebody had a paper from 1942 that they put out there. We should have had drop off sites to do that so we could catch up. That hasn't been done. The City is having severe problems and we've got to find a method to do this because right now bags are strewn along the streets and it's terrible.

Mr. Ferlo:

Mr. President, the root of the problem is the route. It's not the paper. It's not the drivers license issue which actually, legally, doesn't take effect until April of 1992. The basic issue is that we reduced personnel and the Administration has drastically reduced the number of routes. We have less people picking up a greater volume of garbage throughout the City. That's the root problem, the routes; not all this other window dressing that the Administration threw up when they were confronted by Mr. Schmitz and others from the media.

I have a second issue, Mr. Chairman. Over the weekend I was watching the news and apparently the Mayor made another grand pronouncement from the Land of Oz. She was speaking at a Block Watch Seminar at the Convention Center with Director Cannon. Again, I'm talking about this so-called Park and Walk Program which was uttered out as what I would consider as more of a grand political pronouncement on the part of the Mayor as opposed to an actual planned police policy.

I really want to strongly object to the proposal that was uttered out this past weekend. What I have been lobbying for for the last few years in Council, and even years before in the community, is for a planned, well thought out program regarding foot patrol, not this sort of public relations gimmickry regarding the notion of park and walk.

What we need in high crime corridors, be they neighborhood business districts or other designated hot spots, we need permanent foot patrol that's based on a community oriented policing strategy. We need visible foot patrol where officers are assigned. And besides being obviously visible in the community, they actually build rapport with the merchants, they build rapport with the Neighborhood Block Watches in

that area, they actually become integrated into that community and know what some of the problems and Public Safety concerns are, they work as a direct feed to the surveillance officers assigned to the zones, they feed information to narcotics officers. Coordinated foot patrol is fundamentally different than this pronouncement made over the weekend which, by the way, the Chief himself wasn't too aware of.

Again, we don't need that. That's not what we need. We shouldn't be looking towards re-election in the Mayor's Office. We should be looking towards addressing the issue which I think the majority of the citizens and merchants want, and that is coordinated foot patrol in designated areas. Am I saying a police officer on every corner? No, I am not. And the first remedy towards that is to fill the vacant budget positions. We have budgeted for the last several years 1175 and I think that's the first place to start with a strategy on foot patrol.

But this Park and Walk is a bunch of public relations B.S. and that's all it is.

Mr. Onorato:

I would also like to comment on the Park and Walk Program that was announced Saturday. I was at the Convention Center when this was announced and I'm a strong proponent of having the community policing and beat patrol back on the street. My concern with this announcement is that with the Park and Walk you have the potential of the person walking taking a lot of radio calls and the radio calls, in their mind, are going to take priority. Before you know it, we're going to be responding to all the calls and have no one on the street again. This has to be coordinated.

I agree with Councilman Ferlo, we have to work with all the citizen groups in our neighborhoods, we have to work with the

Commanders in the zones so that they know where we want the patrolmen.

The people and the citizens of Pittsburgh realize that we're going to have to give up response time for the 911 in the cars. They know that and they're going to accept that. They're crying out there for visibility. Visibility means walking our business streets, walking our neighborhoods. We know that we can't cover every corner, as Councilman Ferlo said earlier, but the point is, let's take the officers we have, fill the positions that are vacant, and go from there and see how many streets we can cover. I know you can't cover my business district every night of the week, but I'll take two out of seven over none.

I don't think the 911 in just the car system works. We react to calls; we don't police the areas before then. I think that community policing is the way of the future; other cities are doing it. And I'm afraid that the Park and Walk, if it fails, we won't even look at the community policing program. I hope that there is an organized effort and a plan that we can look at before it's implemented.

Mr. Ricciardi:

On the same issue, Mr. Wagner. I agree with both of my colleagues. Presently, we've allocated funds for 1175 positions and we have 1128 police officers. I believe we have to go out and hire as soon as possible.

What I would like is for the Administration to let us know what the status of the court case is now. It's my understanding from Chief DeRoy that the State has filed an appeal to overriding the quota system. So, I think what we have to do is, number one, find out what the status of that court case is.

Number two is that I also support police

visibility and we've all spoken about it at one time or another. I would like to see a combination of the beat officer and the Park and Walk. I disagree with my colleague, Mr. Ferlo. I think Park and Walk could be effective once we defined it. And also, just police officers stopping and getting out of the car, I think, is very important.

My concern here, though, is that this is the second time in two weeks where the Administration, specifically Mayor Masloff, has been at odds or there's a misunderstanding between her and our Police Chief and our police officials. I attended the Block Watch meeting on Saturday and I attended one of the workshops. Mayor Masloff announced the Park and Walk, but the police officials openly stated during the dialogue that they didn't think it would work, number one. Number two, they were not prepared to implement it. And number three, where it was being used, they didn't believe it was effective.

So, that's my concern. That is, in two weeks, number one, they were at odds with the Police Chief and Mayor Masloff concerning drive-by shootings, and now they're at odds concerning the Park and Walk. I would really hope that our Department of Public Safety, Director Cannon, where we're spending millions of dollars for this coordination, will start coordinating between the Administration and the Chief of Police.

Michelle Madoff:

It might be interesting to note that a recent study that was released within the last 48 hours, done nationwide, indicates that the public is very concerned across the country about having adequate safety, police particularly, and is willing to pay a tax on it, would be willing to be taxed federally to pay for that, provided the money would go specifically for public safety.

I had maintained in my own little private surveys that I have done over the years that if we had a fraction of a percent dedicated to a line item that could only be used for police, period, the public will pay it because that is the response that I have had. And I think without question we hear about business after business hiring their own off-duty police officers. I mentioned last week that somebody in Oakland has called me having a problem with the University of Pittsburgh not supplying adequate police protection. The City is now supplying a beat officer. They have three off-duty police they're paying for to be inside their business, but not out on the street. And somewhere along the line, so that we deal with it in the real world, let's talk real world now, the Administration obviously is going to say, "We don't have the money and we don't have the police officers, and we don't have it." Well, maybe in the final analysis we're just going to have to come up with the money.

Mr. Ferlo:

Just as a follow up, maybe the Mayor is not aware that the Department already had Park and Walk and basically was proved unsuccessful. I'm asking the Mayor to consider a different strategy, even if it's just a pilot program. Why don't we, in the coming year, again fill the vacancies, as Mr. Onorato talked about. Let's try a pilot program in each one of the six police zones. Let's try a pilot program of a dedicated foot patrol operation in a high-crime designated area. Maybe pick one area in each one of the designated zones. It doesn't have to be the same corridor every time.

Basically, we're talking about combining the visibility with the integration of that officer's activities with the merchants, with the Block Watches, etc. Why don't we try that out for a change? We haven't gotten any further -- You know, we spent \$118 million on a B.S. Public Safety Department and I think it's about time we

get back to basics in Police and Fire. They've already messed up the Fire Bureau and now this is another half-baked proposal to ruin the Police Department. I think what people want is a well thought out planned policy, not a bunch of public relations gimmickry, and that's what we have.

Mr. O'Connor:

To follow up, I just had a meeting in Squirrel Hill with the Business Association there, and their biggest complaint, and it wasn't the economy, was that they wanted a beat policeman. I walk there almost every summer evening and I've noticed a big decline in senior citizens after seven or eight o'clock. They're intimidated by young people and it's not a high-crime area. I think, as Jim said, that we should get together with DeRoy or someone if we allocate this money and we have the money to hire the guys, where they're going to be and what they're going to do.

I think it's an investment. It's not only protection, it's investment for business. And again, business creates tax base. It's just a never-ending circle and I think we should take some action soon about this.

The Chair:

I'd just like to add a comment and maybe a suggestion. I want to see the police be even more basic than that. I'm tired of seeing police vehicles pass corners with gangs on them and people loitering on them.

I want to see an order go out where police vehicles, when they see a gang forming anywhere, on any street corner, and I see it in the three predominant neighborhoods in my district, Beechview, Brookline and Carrick, and they ride by that corner and I have no idea what they're thinking or what they're doing. They're not on an emergency; they should be stopping and moving that group that is intimidating senior citizens from

going into stores in commercial districts.

As basic as that sounds, that's not happening in this City and that disturbs me greatly. And I'd like to see an order go out from the Police Chief and I'd like to see the Police Chief himself doing that. I'd like to see the Commanders doing that. I'd like to see the Lieutenants doing that. I'd like to see more people getting out of those vehicles where they should be getting out of those vehicles and moving those people off the streets.

If we see it as Council, my God, they have to see it. And it's not happening. Maybe we need a post agenda on this issue.

Mr. Ferlo:

Just as a follow up to what you say, which I agree with. But if there was a foot patrol officer, they develop a rapport with the kids on the street. Whose kids are they? These kids didn't just land from Mars. These are the kids of all the parents and all the residents and all our voters and all our constituents. Everybody wants to push the problem around. If you have a visible foot patrol officer, they develop a rapport with the "gang" at the CoGo's, the Stop 'n Go, or down in front of the pizza shop, and they move them along. They develop that kind of relationship and that's what I think we need as part of the foot patrol philosophy.

The Chair:

How about if we have a post agenda?

Mr. Ferlo:

There's no point having a post agenda unless the Mayor herself is going to be here so we can ferret out these issues.

The Chair:

Well, the Chief of Police, certainly, and the Director of Public Safety, and representation from the Mayor's Office.

Mr. Ferlo:

Well, let's get the Land of Oz here too.

The Chair:

We'll work out a date.

Mr. Ferlo moved to approve the Minutes of Monday, January 6, 1992, and Tuesday, January 14, 1992.

Mr. O'Connor seconded the motion.

Which motion prevailed.

The Chair:

I need a motion to recess this meeting and meet again immediately following tomorrow's meeting because we have one bill that must be voted on pertaining to Historical Designation prior to next Tuesday.

Mr. Ferlo:

So moved.

Mr. O'Connor seconded the motion.

And on the motion of **Mr. Ferlo**

Council recessed.

Pittsburgh, PA
Wednesday, January 22, 1992

And the hour of recess having expired,
Council reconvened.

Mr. Cohen presented

Bill No. 105

Report of the Committee on Planning, Housing
and Development for January 22, 1992
transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 6

A Resolution entitled, "Resolution for the
designation as a Historic Structure under Section
513 of Chapter 1007 of the Code of Ordinances
that certain structures known as the Lowen-
Shaffer House, more particularly located at 311
Lowenhill Street (Block and Lot Number 16-G-
82) in the 19th Ward, City of Pittsburgh."

Which was read.

Mr. Ferlo:

I would like my comments brought
forward, Mr. President.

Mr. Cohen:

I would like my comments brought
forward, Mr. President.

The Chair:

Mine also.

(REMARKS ON FOLLOWING PAGES)

(MESSRS. WAGNER, FERLO AND COHEN'S REMARKS ON BILL NO. 6)
(Wednesday, January 22, 1992)

Mr. Cohen:

Mr. Chairman, if we could have Mr. DeSantis and Director Downing come to the table, please.

This is the Lowen-Shaffer House historic designation issue. Both the Historic Review Commission and the Planning Commission have taken action on this under the City Code. And if we could, Mr. DeSantis, if you could go first and tell us why the Historic Review Commission voted to designate the Lowen-Shaffer House as historic, please.

Mr. DeSantis:

Councilman, the Historic Review Commission found that the Lowenhill farm house met the criteria of the ordinance. Specifically there are several different provisions in the ordinance and if a parcel, or in this case a structure, meets one of those provisions, then the Historic Review Commission would find that it would recommend to Council the designation.

In this case, the structure met the criteria on two of the things. One, that it is an outstanding example of an architectural style, and the other that it is one of the last remaining examples of that architectural style in the City of Pittsburgh.

Mr. Cohen:

What is it?

Mr. DeSantis:

It is actually a carpenter-gothic, a style that was popular at the time of the Civil War. It is a very unusual building. The fact that that style was built in wood in most cases means that buildings from that period didn't survive this far into the 20th Century for the most part. Not only is this rare because it is one of those few wooden structures that survived this long, but also simply it was probably one of the best of the originals that were built and is an outstanding example of that.

Mr. Cohen:

What year was it built?

Mr. DeSantis:

Probably about the time of the Civil War, I believe we are estimating 1865. It certainly is pre 1870. It could be pre-Civil War.

The second reason is -- that first reason is it is one of the very few survivors, and the second is it is an outstanding example of that architectural style. City wide, we maybe have 8 to 12 buildings of that period remaining, and of those, I certainly think this would rank in the top two or three.

Mr. Cohen:

Does that pretty much sum up the Historic Review Commission's view?

Mr. DeSantis:

I would also like to emphasis to Council that what is before you today is the designation of the structure only. As you are all aware, the structure sits on a six acre plus site in Beechview. The site is not being designated, only the house. I am sure on a six acre site that would be a significant consideration for you.

Mr. Cohen:

Thank you. Director Downing, the Planning Commission under law also took action on this, and my understanding is they voted against historic designation. If you could tell us what the reasons were and exactly what that action was.

Ms. Downing:

Well, the Planning Commission is asked to review nominated structures and districts within generally accepted land use and planning criteria. And they evaluate the impact of the designation on surrounding properties, on land uses. It is a much broader set of categories that they evaluate.

The City Solicitor has ruled that the issue of taking of a designated building without owner consent is within the purview of the Planning Commission to review. As you remember, the State Supreme Court last summer ruled in a case in Philadelphia that if an owner of an individual building does not consent to historic designation, it would be considered a taking, and just compensation was due. And that is the law of the land at the moment.

The Planning Commission believed that designating or recommending that this structure be designated would, in fact, put the city at risk of a potential lawsuit, since neither the current owner nor the proposed owner agreed to the historic designation. So they voted against the historic designation on that basis.

Mr. Cohen:

Okay. I have some questions as to whether or not the Planning Commission should be taking legal positions. But that aside, how many votes would be required on this Council for historic designation, given the Historic Review Commission action and Planning Department action?

Ms. Downing:

Six votes are required to designate the structure.

Mr. Cohen:

Okay. Mr. Chairman, I would like to turn this over to Council President Wagner, in whose district this presides. I know he has been working very hard to reach a compromise on this issue.

I think that the vote that we take really should be on the question of whether or not it has historic value. And we took a tour out there last week. My personal opinion is that it does have historic value, but I would like to turn this over to Council President Wagner.

Mr. Wagner:

Thank you, Councilman Cohen. I have pictures that are less than a week old, and I want to thank my colleagues for going on that visit. I know Councilman Cohen and Councilman Darkins could make it, and the other members of Council sent representatives to the site and/or visited the site at other times.

The issue has been in front of Council since the public hearing, which was back on December 3, 1991, and I know our two new colleagues, Councilman O'Connor and Onorato, were not here at the time, but they have received a copy of the transcript from the public hearing.

This issue has been a difficult issue with me. It is an issue I have struggled with, because quite frankly, I have two groups within my Council district, one that wants the historical

designation and one that does not. I have tried to work out an agreement, some middle ground here. And I know John DeSantis has attempted also to contact the proposed buyer of the property.

John, I would like you to state whether or not you have had any success in that endeavor.

Mr. DeSantis:

Mr. President, following the public hearing last month, I approached the representative of the Jehovah's Witnesses, Mr. Tennent, and you also joined us in conversation. Their statement that was prepared and given to Councilmembers and in print at that time indicated to me at least a possibility of reaching a compromise.

Their statement at that time on behalf of the Jehovah's Witnesses indicated there was in my mind at least room for some compromise on this issue. I have attempted on numerous occasions to contact their representative, Mr. Tennent, have left messages for him with the woman who answers the phone, but I have not had any response to those efforts.

Mr. Wagner:

Thank you, John. I also have tried to reach Mr. Tennent, and we even sent him a letter asking him to get back to us. He finally did today at about 20 minutes to 10:00 this morning prior to the meeting. He called me and I indicated to him that we are within a very tight time frame because of this historical designation 90 day period. It was my intent, hopefully, to follow-up on his previous comments at the public hearing, and it was your intent also, John. We were not able to do that. Consequently, we are left voting on the value of historical designation of this building.

John, as the legislation reads I know it does not include the land, the six acres, as you stated. Beside the house, are there any other structures on the property that would be designated historical?

Mr. DeSantis:

No, only the house.

Mr. Wagner:

I want to state clearly, this issue has been an issue that has been in front of this neighborhood for quite some time with

the previous proposal, and the historical designation never became an issue in the previous couple of years up until recently, actually in 1991, which made all of us look at the issue in a little more depth and determine really whether or not there was a great concern for historical designation. Whether there was or there wasn't, I think it is important to state here that looking at the house, and those of you on Council that have seen it, the house truly is a relic in a sense, it is a pre-Civil War home, one of the only homes of its type in the South Hills, maybe the only one in the South Hills portion of the City of Pittsburgh, and truly has some historical significance.

Because of that, we tried to work out some agreement with this Jehovah's Witnesses group that is the proposed buyer of the property from Our Lady of Victory Church which is located in Brookline who owns the property and wants to sell the property.

Jehovah's Witnesses people have indicated they want to build a Church on the property. We were hoping that we could work out some agreement where the home could stay on the property and they would or could build the Church that they want to build. That has not happened, so ultimately Council is simply faced with voting on historical designation of the property.

It is my understanding that if historical designation occurs today in this vote -- and we have to reconvene after this meeting for another vote because the 90 day period will expire prior to our next legislative meeting -- the Jehovah's Witnesses people will still purchase the property. The difference is that they will purchase the property for \$12,000.00 less than the original agreement because of the historical designation. It is still their intent, as far as I can tell, to build what they originally intended to build, but they would have to place it on another parcel of the property somehow.

Is that your understanding also, John?

Mr. DeSantis:

Councilman, I believe that is what the representative from the Jehovah's Witnesses outlined in his testimony at the public hearing.

It is a six acre site. The house -- and I know that most of you have seen it -- the house is literally at one edge of the property, so five and a half acres of this site is certainly a buildable site with no problem at all. They indicated they would do that.

(BEGINNING - MESSRS. WAGNER AND FERLO'S COMMENTS ON BILL NO. 6,
WEDNESDAY, JANUARY 22, 1992)

Mr. Wagner:

We're not sure what is buildable on the site precisely because there hasn't been core borings done on the entire site, but there is some suspicion that a building could still be located on a good portion of the site and the home could still remain. Now whether or not they would want to do that or not I'm not sure, but getting back to the issue and I don't want to belabor the issue, but Our Lady of Victory Church paid \$85,000.00 for the parcel and with historical designation they will receive \$95,000.00 for the parcel. Without historical designation they will receive \$107,000.00 for the parcel. They have approximately \$10,000.00 invested in the parcel since the day they purchased it, so they would be whole with historical designation. However, they're not pleased and they still feel as if they would be losing \$12,000.00 and to some degree they have a good argument and possibly even with historical designation the City could be forced through legal action at some later time to reimburse them if the State Supreme Court action taken in 1991 holds true. So, we are to the issue of historical designation and the value of it. Quite frankly it's my opinion that the home deserves it and I suggest that we move for historical designation. One party is not happy but unfortunately that's the situation you run into.

I want to state on the record that there has been a third party involved here that has attempted to force an agreement between the two church groups. That has nothing to do with the action taken by this Council today. In other words, they are not a player in any way with the action taken by Council. That could only occur if and when those two parties or one of those parties chose to become involved with a group titled "Regional Resources Inc". I want to state that clearly because there has been a memo sent to me and John (DeSantis) and others. I don't know if other members of Council have received it, but they have attempted to work out an agreement where the City would sign, Jehovah's Witnesses would sign and Our Lady of Victory would sign and the action taken by Council today does not in any way suggest that that should happen. So it is my opinion that the home deserves historical designation.

Mr. Ferlo:

Mr. Chairman, one thing I learned in the Syria Mosque situation is that demolition is absolute. I think we should return to the basic principle and that is that the Historic Review Commission did give a lot of consideration to this issue solely on the merits of the existing ordinance and I do think the property meets two of the criteria established under the

Ordinance and in that respect I think our role as elected Councilmembers is to preserve and protect and in this instance this particular structure.

On a practical point of view in terms of what might happen should we support the designation which obviously I do, it would be my hope that possibly something could be negotiated with Jehovah's Witnesses and their intents to purchase the property and this other entity or some other interest group who would like to retain the structure. Indeed, Jehovah's Witnesses might even make some money out of the deal if they only sanctioned off that small part of the land and structure known as the historic site so I think we should preserve and protect.

Mr. Wagner:

Just as a response to both Mr. Ferlo and Mr. O'Connor, we are hoping that through negotiations we could work out an agreement where the building could be moved on the property but we weren't able to do that. We thought if we could do that we could get all parties in favor of historical designation and the parcel could be sold for the higher value of the parcel. That has not occurred. Potentially what could happen if the sale does not go through with historical designation, Our Lady of Victory Church could sub-divide the property and sell it separately with the historical building being sold to anyone interested in it and possibly the other five and one-half acres for a Jehovah's Witnesses church or some other kind of development or that the Jehovah's Witness people, if the sale moves forward could do the same.

Mr. O'Connor:

Out of curiosity, what does it cost to move that building?

Mr. Wagner:

That's really an unknown. We never really got to that point of discussion but by and far the home deserves historical designation and basically that's the issue in front of us.

(END OF COMMENTS)

PREPARED BY: MARY ANNE HRUSKA
STENOTYPE REPORTER

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen

Mr. O'Connor

Mr. Darkins
Mr. Ferlo
Mr. Millions

Mr. Onorato
Mr. Ricciardi
Mr. Wagner
(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

And on the motion of Mr. Millions

Council adjourned.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

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Tuesday, January 28, 1992

No. 4

Municipal Record

ONE-HUNDRED TWENTY-SEVENTH COUNCIL

JACK WAGNER President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER.... Asst. City Clerk

Pittsburgh, PA
Tuesday, January 28, 1992

PRESENT:

MR. COHEN	MR. O'CONNOR
MR. DARKINS	MR. ONORATO
MR. FERLO	MR. RICCIARDI
MICHELLE MADOFF	MR. WAGNER
MR. MILLIONES	(Pres't)

The Meeting was opened by the recitation of the Pledge of Allegiance to the Flag of the United States of America, and a moment of silent prayer for peace throughout the world.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Cohen, Mr. Darkins and Mr. Ferlo present

No. 144 WHEREAS, the Eastside Alliance is a cooperative effort of the Eastside neighborhoods of Bloomfield, Friendship, Garfield, Lawrenceville and Polish Hill; and

WHEREAS, the Eastside Alliance is a coalition of the following community organizations: Bloomfield Block Watch, Inc., Bloomfield-Garfield Corporation, Friendship Development Associates, Friendship Preservation Group, Garfield Jubilee Association, Lawrenceville Business Association, Lawrenceville Citizens Council, Lawrenceville Development Corporation, Penn Merchants Triangle, and Polish Hill Civic Association; and

WHEREAS, these neighborhoods are working together to keep their communities vibrant places for young and old to work and live; and

WHEREAS, the Eastside Alliance was created because each neighborhood could be stronger if they worked together; and

WHEREAS, the Eastside Alliance is currently working on such projects as helping homeowners keep their properties attractive, using City loan programs for needed repairs, trying to link residents with jobs right in their own

backyards, and helping to give youth a sense of hope.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh commends Eastsider of the year, John McGrane, Sr.; Young Eastsider of the Year, Ping Xie; the recipient of the Humanitarian Award, Sister M. Sylvia Schuler; and these following Volunteers of the Year: Kay Lauer, Greg Heisler, Donna Conrad, Austin DeSimone, Sylvia Beverly, Dee Conlin, Yvonne Thornton, Butler Street Holiday Lighting Committee, Emelia Crowley, Barbara Merlina, Jeff Edwards, Ella Zych, St. John's Lutheran Church Committee, St. Vincent DePaul FoodSHARE, Charles A. Robinson, Sr., and Bob Conrad; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh hereby proclaims Saturday, February 1, 1992 as "Eastside Day" in the City of Pittsburgh.

Mr. Cohen moved to approve the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Cohen:

We have with us here Mr. McGrane who is being honored as Eastsider of the Year, but we also have Leslie Reicher who is the Executive Director of Eastside Alliance, Aggie Brose who I'm sure everybody knows is Chair of the Dinner Committee for the Eastside Alliance, but also Head of the Bloomfield-Garfield Corporation. I don't know exactly what your title is. Reverend Garmen here who is the President of Eastside Alliance, he's here in spirit; and Kay Lauer with the Bloomfield Block Watch; and Ann Davis from Polish Hill.

What I'd like to do is have Reverend

Darkins and Councilman Ferlo say a few words and then, if we could, have Leslie Reicher and the Eastsider of the Year, John McGrane, and anybody else who would like to speak.

This is really a pleasure. We have this every year and the Eastsider of the Year is a Coach who was described in yesterday's paper as somebody who has touched the lives of many, many people. Thank you for touching the lives of so many people. It really is an honor to have you here.

First, let's have Reverend Darkins and Councilman Ferlo and then have some of our speakers.

Reverend Darkins:

Thank you, Councilman Cohen. To our President, ■ our colleagues on Council, I think we have such a unique organization when we speak of the Eastside Alliance. Something happens with the Eastside Alliance that does not happen with all of the Council districts and that is that you have three Council districts here united together. And in doing so, we're touching each Council district in each community, each neighborhood.

I'd also like to say to John that definitely you're the man to be honored because you're from Lawrenceville, and because some years ago I was born in Lawrenceville. So, you're definitely the man to be honored. We hope and trust that Saturday you will have a great celebration and everything will be a great success.

With that in mind, we're going to call on my colleague, Jim Ferlo, to come forth.

Mr. Ferlo:

I didn't have the pleasure of being born in Lawrenceville but I think I spend more time

there, and partly because I've been spending a lot of time working with the McGrane family on Leslie Field. As you know, Council unanimously approved a resolution back in 1989 redesignating the field after John McGrane here, and I think it's well deserved.

To Kay and to Johnny McGrane, and certainly to all the other representatives from Eastside Alliance, I see Ms. Noszka here from the Lawrenceville Development Corporation, they'll obviously have a great dinner Saturday night.

Johnny McGrane has been volunteering at St. Mary's and with other youth organizations in the Lawrenceville community for as long as I have been born, and that's 40 years and I don't want to date you, John. But you do have the love and respect not only of your family and your neighbors but you have touched the lives of probably thousands of families in the Lawrenceville community and certainly the surrounding communities because a lot of people have participated in the youth organizations in Lawrenceville.

So, I'm very honored to be a part of the proclamation today and pay tribute to you and I look forward in the dinner Saturday night where you and Kay and all the other Eastsiders of the Year will be honored, rightfully so.

And I do want to say hello to Micky there who also spends a lot of time. He's following in his father's footsteps and he's a very hard worker. I'm very honored to be a part of the proclamation today. Thank you.

Mr. McGrane:

Thank you, everyone. I'm a man of many words but today I will just say that I'm glad to be here. Lawrenceville happens to be the Capital of Pittsburgh, as far as I'm concerned.

But I appreciate all the people who worked with me through the years, girls' grade school, diocese boys' JV, which I still have. Thanks to everyone. Without the help of the kids and the people, I wouldn't have anything to do. I'm glad to be here. Thanks a lot for the proclamation.

The Chair:

Ann Davis wants the mike and you can never turn Ann Davis down when she wants the mike.

Ms. Davis:

John said just a minute ago that Lawrenceville is the Capital of the City, but Polish Hill is the heart. Remember that.

I just want to say a few words. I know John from way, way back. That gentleman over there, Bobby, that's taking photographs, he was in the Little League when John was with us in Polish Hill. We had a Little League team and Bobby was there, my son was there, so I know him from way back when and I congratulate him with all my heart. He has spent a lifetime bringing boys up like Bobby and my son. So, I thank him for dedicating his life to the kids.

The Chair:

Thank you all very much.

Mr. Cohen presents

No. 145 WHEREAS, the Pennsylvania Head Start Parent and Staff Association was created as a cooperative effort of parents and staff of Head Start agencies in Pennsylvania; and

WHEREAS, the Pennsylvania Head Start Parent and Staff Association was created because each group could be stronger if they

worked together; and

WHEREAS, the Pennsylvania Head Start Parent and Staff Association continues to educate others through conferences, newsletters and networking opportunities; and

WHEREAS, Head Start encourages and promotes active participation of parents and staff; and

WHEREAS, the Pennsylvania Head Start Parents and Staff continues to address and educate families of Head Start.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh commends the Pennsylvania Head Start Parent and Staff Association on their 10th Annual Conference in the City of Pittsburgh; and

BE IT FURTHER RESOLVED, that the Council of Pittsburgh declares January 28-31, 1992 as "Head Start Days".

Mr. Cohen moved to adopt the resolution.

Mr. Onorato seconded the motion.

Which motion prevailed.

Mr. Cohen:

Members of Council, we've heard a lot about the Head Start Program recently, especially at the federal level. And I think there has been so much interest recently because it's such a good program, and that is, we have to start as early as possible to get our preschoolers prepared to have an education that is a rich and fulfilling one and also a rich and fulfilling life.

I'm very happy that we have people here from the Head Start Parent and Staff Association, including Victoria Davis and Michael Davis. We

also have Sandra Brady who is the Banquet Co-Chair. And we have Felicia Dundy, Wanda Barton, Don Tyler who I believe is the Treasurer of the Head Start Staff Association.

So please, Victoria Davis, if you could say a few words, I'd appreciate it.

Ms. Davis:

Good morning, Mr. President and City Councilmembers. Thank you for having us here today.

As you know, the Head Start Program within Pittsburgh and Allegheny County thanks you for giving us this proclamation today. As you may already know, Head Start has been in existence for over 27 years now. It works and it will continue to work.

Thank you very much.

The Chair:

Thank you all for coming.

Mr. Ferlo:

Mr. President, rather than just having the title read, I'd like to read the whole resolution. This was inspired by Councilman Cohen and others last year who led an effort around consideration and concerns on the cable TV operation in this City.

Mr. Ferlo presents

No. 146 WHEREAS, the Cable Television Consumer Protection Act of 1991 (S.12) has been revived and debate has begun in the United States Senate; and

WHEREAS, since the industry was deregulated in 1984, cable consumers in the City

of Pittsburgh and across the country have assailed the skyrocketing cable rates and poor service provided by local cable companies; and

WHEREAS, S.12 in its current form allows local governments to regulate where there is no effective competition, requires the Federal Communications Commission to develop stronger customer service standards, and seeks to prevent anti-competitive practices by the cable industry; and

WHEREAS, although S.12 does not address all of the problems local governments face when dealing with their cable services, Senate 12 is a step in the right direction by Senate; and

WHEREAS, opponents of S.12 will attempt to introduce a substitute bill or amendment which will most likely weaken or remove regulatory provisions such as rate regulation and/or effective competition; and

WHEREAS, the National League of Cities, along with the U.S. Conference of Mayors, the National Association of Telecommunications Officers and Advisors, have strongly supported S.12.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does urge the United States Senate to support the Cable Television Consumer Protection Act of 1991 in its original form and opposes any substitute bill or amendments that would weaken the provisions of S.12; and

BE IT FURTHER RESOLVED, that Council will refer this resolution to Senator Spector and Senator Wofford and, finally, will request Brother Richard Emenecker of the Bureau of Cable Communications to create a public service announcement regarding S.12 and encourage all cable consumers to contact

Senators Spector and Wofford to support S.12.

Mr. Ferlo moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. O'Connor:

I'd like to congratulate Mayor Masloff and we have this resolution.

Mr. O'Connor presents

No. 147 WHEREAS, the Constitution of the United States mandates the accommodation and tolerance of all religions; and

WHEREAS, the Yeshiva Achai Tmimim Schools, under the inspiration and guidance of the revered leader of the Chabad Lubavitch movement, Rabbi Menachem M. Schneerson, strive to promote those values which strengthen the moral and ethical fabric of our society; and

WHEREAS, the City of Pittsburgh was founded and nurtured by leaders adhering to these very same principals of moral and ethical values; and

WHEREAS, Mayor Sophie Masloff has carried on that tradition of leadership, as witnessed by both her commitment to the community and her profound concern for humanity; and

WHEREAS, the Yeshiva Schools will, on February 2, 1992, honor Mayor Masloff for her contributions to the community at its forty-eighth Annual Dinner.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby congratulates Mayor Masloff

for her recognition by the Yeshiva Schools and commends her efforts on behalf of the City of Pittsburgh, and all the citizens thereof.

Mr. O'Connor moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. O'Connor:

I would just like to not only congratulate the Mayor, she will be honored this weekend by the Yeshiva at a dinner, and I'd like to personally thank the Yeshiva for all the work they've done in our community. Personally, they have helped myself and my family through a lot of tough times. It's a great institution and I just want to thank them and congratulate them for this weekend.

The Chair:

I'd like to present a resolution that was read into the Record and presented on Saturday evening.

The Chair presents

No. 148 WHEREAS, Mr. Bill Gray, Sr., is the recipient of the Catholic War Veterans of the U.S.A., 20th Chapter and the Ladies Auxiliary "Man of the Year" Award; and

WHEREAS, Bill Gray, Sr. is a shining example of the American success story, starting work at a young age, through grade school and high school, holding a variety of jobs, selling magazines, holding two newspaper routes, washing dishes, stocking groceries and pumping gas; and

WHEREAS, after high school, Mr. Gray entered the United States Navy and served his

Country for two years and in 1946 he entered what was to be his life's work - the automotive business; and

WHEREAS, in 1952 Bill Gray Auto Sales was founded with the slogan "Used Cars With Many Unused Miles". After many cars, a few years and great commitment to the community, Bill Gray's success story continues; and

WHEREAS, major contributors to the Bill Gray Story are his wife, Dolly, and their four children, Bill, Jr., Scott, Lou Ann and Amy.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize Mr. Bill Gray, Sr. as the Catholic War Veterans, 20th Chapter and Ladies Auxiliary "Man of the Year"; and

BE IT FURTHER RESOLVED, that in conjunction with the "Man of the Year" Award, the Council of the City of Pittsburgh declares Saturday, January 25, 1992 as "Bill Gray Day" in the City of Pittsburgh.

Mr. Milliones moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. Cohen presented

No. 106 An Ordinance amending the Pittsburgh Code, Title Nine, "Zoning", by creating two additional zoning districts entitled "C6-B" and "C6-C", "Downtown Riverfront Districts", by providing rules and regulations for both districts, and by revising the present provisions of the "C6-A" Downtown Riverfront District concerning use, height and area regulations. (All Council Districts).

Also,

No. 107 An Ordinance amending the Pittsburgh Code, Title Nine, "Zoning", Article III, Chapter 921, Section 921.02, Zoning District Map No. 7, by changing from "S-A", "AP", "C4", "M1", "M2", "M3" and "M4" zoning districts to "C6-A", B and C", Downtown Riverfront Districts, certain property in the North Shore community generally bounded by: the Allegheny River; the Ohio River; the West End Bridge; Chateau Street; Western Avenue; Fulton Street; Ridge Avenue; State Highway Route 65; Conrail Railroad; and the Fort Wayne-Conrail Railroad Bridge, 21st, 22nd and 23rd Wards. (Council Districts No. 1 and No. 6)

Also,

No. 108 An Ordinance establishing the Federal Street Business Improvement District, identifying the boundaries thereof, specifying the improvements to be undertaken, the costs and financing of the improvements, the method of assessing benefited properties, the method of payment of the assessments and providing for a Cooperation Agreement with the URA of Pittsburgh.

Also,

No. 109 Resolution further amending Res. No. 608, eff. June 25, 1991, as amended by Res. No. 921, eff. October 10, 1991, entitled "Providing for the execution of a Cooperation Agreement or Agreements with the URA of Pgh. for the performance of certain work in connection with the 1991-1992 CDBG Program; and providing for the payment of the costs thereof," to increase the amount of the grant by \$175,000.00 to \$9,449,000.00.

Also,

No. 110 Resolution providing for the

filing of an application for financial assistance with the Pennsylvania Department of Community Affairs for a grant in the amount of \$1,200,000 in Strategy 21 funds for Riverfront Improvements at Washington's Landing and authorizing certain other related actions.

Also,

No. 111 Resolution authorizing a Cooperation Agreement with the URA of Pgh. providing for the transfer to the Authority of an amount not to exceed \$400,000 to be used for demolition, site clearance and related activities on Washington's Landing, chargeable to and payable from Washington's Landing.

Also,

No. 112 Resolution authorizing an Amendatory Crawford-Roberts Cooperation Agreement or Agreements providing for the transfer of an amount not to exceed \$325,000.00 to the URA of Pgh. to be used for public improvements in the Crawford-Roberts Redevelopment Area, chargeable to and payable from Crawford-Roberts Renewal. (Council District No. 6)

Also,

No. 113 Resolution authorizing a Cooperation Agreement or Agreements with the URA of Pgh. providing for the transfer of an amount not to exceed \$765,000 to the Authority to be used for Streetscape Improvements in the Penn-Liberty Cultural District, chargeable to and payable from Code Account UR90-8, Penn-Liberty Cultural District Street Improvements. (Council District No. 6)

Also,

No. 114 Resolution authorizing a Cooperation Agreement or Agreements with the

URA of Pgh. providing for the transfer to the Authority of an amount not to exceed \$40,000 to be used to defray the cost of financial services required in connection with the Authority's housing bond issues, chargeable to and payable from Housing Administrative Services.

Also,

No. 115 Resolution providing for the implementation of a Residential Parking Permit Program (RPPP) Area "S" in the North Oakland, Herron Hill, Schenley Heights and Schenley Farms communities pursuant to Pittsburgh Code Chapter 549.

Also,

No. 116 Resolution providing for an Agreement or Agreements with the Squirrel Hill Urban Coalition for operating assistance at a cost not to exceed \$2,000.00, chargeable to and payable from the 1991 CDBG Program, City Council, Squirrel Hill Urban Coalition.

Also,

No. 117 Resolution providing for an Agreement or Agreements with the Carriage House for handicapped accessibility improvements in an amount not to exceed \$2,111.00, chargeable to and payable from the 1991 CDBG Program, City Council, "Carriage House".

Also,

No. 118 Resolution providing for an Agreement or Agreements with the Three Rivers Employment Agency for program support in an amount not to exceed \$5,000.00, chargeable to and payable from the 1991 CDBG, City Council, "Three Rivers Employment Agency".

Also,

No. 119 Resolution providing for an Agreement or Agreements with Operation Better Block, Inc. to provide administrative support to the Agency in an amount not to exceed \$7,000.00, chargeable to and payable from the 1991 CDBG Program, City Council, "Operation Better Block, Inc.".

Also,

No. 120 Resolution providing for an Agreement or Agreements with Catholic Youth Association for minor rehabilitation of their Senior Center, in an amount not to exceed \$3,000.00, chargeable to and payable from the 1991 CDBG Program, City Council, "Catholic Youth Association".

Also,

No. 121 Resolution providing for an Agreement or Agreements with Urban League - Northview Heights to provide administrative assistance in the amount not to exceed \$2,500.00.

Also,

No. 122 Resolution providing for an Agreement or Agreements with the Hill District Ministries for operating assistance in an amount not to exceed \$1,300.00.

Also,

No. 123 Resolution providing for an Agreement or Agreements with Perry Central Neighborhood Council for purchase of equipment and operating support of their programs in an amount not to exceed \$2,000.00.

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Darkins presented

No. 124 Resolution vacating a portion of Borden Way in the 20th Ward, Council District No. 2 of the City of Pittsburgh.

Also,

No. 125 Resolution granting unto Margaret C. Lux of 336 Joncaire Street the privilege and license to construct, maintain and use at her own cost and expense, an existing parking pad on portions of the right of way of Joncaire Street in the 4th Ward, Council District No. 3 of the City of Pittsburgh.

Which were read and referred to the Committee on Public Works.

Mr. Ferlo presented

No. 126 Resolution amending and supplementing Res. No. 1294 of 1991, eff. January 1, 1992, entitled: "Making appropriations to pay the expenses of conducting the Public Business of the City of Pittsburgh and for meeting the debt charges thereof for the fiscal year, beginning January 1, 1992," by making certain additions and corrections. This resolution is retroactive to January 1, 1992.
---(SPONSORED BY MR. FERLO)

Which was read and referred to the Committee on Finance.

Also,

No. 127 Resolution requesting the Historic Review Commission and the City Planning Commission to study and make recommendations as to the appropriateness of designating the King Estate located at 1251 North Negley Avenue under the Historic Preservation Ordinance.
---(SPONSORED BY MR. FERLO)

Which was read and referred to the Committee on Planning, Housing and Development.

Mr. Ferlo moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Darkins seconded the motion.

Which motion prevailed.

Michelle Madoff presented

No. 128 An Ordinance supplementing the Pittsburgh Code, Title One - Administrative, Article III - Organizations, by adding Chapter 140 - Department of Aging.

---(SPONSORED BY MICHELLE MADOFF)

Which was read and referred to the Committee on Finance.

Michelle Madoff moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Cohen seconded the motion.

Which motion prevailed.

Michelle Madoff:

Point of Order. The reason we resubmitted is that we ran out of time last year and there was a 30 day time frame in which the Administration could review the legislation. Again, all we're doing is renaming the senior citizen program to the Department of Aging and the restructure and the revamping and the

direction it would take in the '90s as opposed to the '80s would be done by our Commission of Aging which has a \$50,000 allocation in the budget presently.

Mr. Milliones presented

No. 129 Resolution amending and supplementing Res. No. 1294 of 1991, eff. January 1, 1992 entitled: "Making appropriations to pay the expenses of conducting the Public Business of the City of Pittsburgh and for meeting the debt charges thereof for the fiscal year, beginning January 1, 1992," by making certain additions and corrections. The resolution shall be retroactive as of January 1, 1992.

Which was read and referred to the Committee on Finance.

Mr. Milliones moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. O'Connor seconded the motion.

Which motions prevailed.

Mr. Onorato presented

No. 130 Resolution authorizing issuance of a warrant in the amount of \$11,500.00 in favor of M. J. Stein Renovation Inc. in payment of contract for demolition and removal of 2 & 3 story, brick dwelling located at 933 Warrington Avenue, 18th Ward, chargeable to and payable from Code Account Capital Project Funds.

Which was read and referred to the Committee on Finance.

Mr. Ricciardi presented

No. 131 Resolution amending and supplementing Res. No. 1294 of 1991, eff. January 1, 1992, entitled: "Making appropriations to pay the expenses of conducting the public business of the City of Pittsburgh and for meeting the debt charges thereof for the fiscal year, beginning January 1, 1992," by making certain additions and corrections.
---(SPONSORED BY MR. RICCIARDI)

Also,

No. 132 Resolution amending and supplementing Res. No. 1295 of 1991, eff. January 1, 1992 entitled: "Resolution fixing the number of officers and employees of the City of Pittsburgh and the rate of compensation thereof, and setting minimum levels for designated positions," by making certain additions and corrections. --- (SPONSORED BY MR. RICCIARDI)

Which were read and referred to the Finance.

Mr. Ferlo moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Darkins seconded the motion.

Mr. Cohen:

Mr. President, I am very uncomfortable with waiving Rule 8 on a bill involving the layoff of 20 people. We just went through two months of budgetary deliberations which involve the laying off of many, many people from City government. As we all know, these were very painful decisions and it concluded at the end of December.

My understanding is, although he hasn't discussed it with me, that Mr. Ricciardi wants to reopen the budget at the last minute and that we have to waive Rule 8 in order to do that. This gives us one day, 24 hours, to decide whether or not to lay off 20 more people. What he's asking us to do is to rush to fire people. I think it's insensitive and I think it's irresponsible and I can't vote for waiving Rule 8 on this.

The bill, as I understand it, proposes to fire 20 people. It essentially decimates the Parks Department. Mr. Ricciardi hasn't discussed it with anyone as far as I know. He hasn't discussed it with me, not the Administration, not other Councilmembers, not the Chair of the Parks Committee --

The Chair:

I would like to interject. We are not discussing the bill; we're discussing the Rule 8

Mr. Cohen:

Okay, on Rule 8. The economy right now is in a freefall, Mr. President, and my colleague comes in --

Mr. Ricciardi:

Point of Order, Mr. Chairman.

Mr. Cohen:

I have the floor.

Mr. Ricciardi:

The motion is to discuss Rule 8.

Mr. Cohen:

I am discussing Rule 8 and what Mr. Ricciardi is moving is to have us scramble to fire

more people right now and to put them out on the streets. I think that firing people is not something --

Mr. Ricciardi:

Point of Procedure. The motion was to suspend Rule 8. All discussion should center around suspending Rule 8. We should go back to the Rules of Council why Rule 8 is to be suspended.

Mr. Cohen:

I have the floor, Mr. President. I am discussing that issue. What Rule 8 is --

The Chair:

Excuse me. I'm chairing the meeting.

Whether we like or dislike Councilman Ricciardi's resolution, the simple issue at hand is whether or not we deal with it tomorrow. And rather than debate the issue, I think we should deal with whether or not we want to deal with this issue tomorrow.

And, quite frankly, I want to say that we suspended Rule 8 for two other budgetary issues today and I see no reason why we should not suspend Rule 8 on this issue.

Mr. Cohen:

If I may conclude, Mr. President. Rule 8, as everybody here knows but maybe people who are watching may not know, is a rule that allows us to have time, seven days actually, for us to deliberate on City matters. What Mr. Ricciardi is doing is he's moving to waive Rule 8 so that we do not have that time to deliberate over whether or not to lay off 20 people. Firing people is not something that we should do casually or carelessly, and that's what we're being asked to

do here. These are very painful decisions and I think that it's the height of insensitivity to scramble to fire people. So, I oppose that waiving of Rule 8.

The Chair:

Okay, we're only going to deal with this bill being on the agenda tomorrow, and that's it.

Mr. Ferlo:

Mr. President and Members of Council, solely on the issue of waiving Rule 8. I support the motion to waive Rule 8 purely on the grounds that if we are going to deal with Mr. Ricciardi's issue legally and in a timely manner prescribed by the Charter, we must do that tomorrow.

I'm not making a comment at this time regarding the merits of his legislation. He has the right to pontificate as much as anybody else and I want to give him that right tomorrow. I think we should waive Rule 8.

Michelle Madoff:

What I was going to ask is for clarification from Mr. Perry. If we don't waive Rule 8, do we miss our time frame on opening the budget?

Mr. Ferlo:

Yes.

Michelle Madoff:

Then there's no question. We waive Rule 8.

Mr. Milliones:

There's certainly a question in my mind, Mr. President, and I would support Mr. Cohen. I

think at best this is irresponsible. I just saw the bill this morning and I have such the magnitude of the cuts that are suggested, it seems to me that one needs more than a few hours to think about it. So, I would not support waiving Rule 8.

Mr. O'Connor:

I agree with Mr. Cohen and Mr. Milliones. I don't think 24 hours is enough time. It basically strips the Parks and Recreation Department of 99 employees, not only counting the 20 layoffs. I don't think 24 hours is going to solve that problem.

The Chair:

I would suggest that we suspend Rule 8 and throw the issue right in front of Council. I don't think we should dodge any issue that is put forth by any Councilmember.

Michelle Madoff:

Mr. President, I support what you just said because what applies to one should apply to all. If we start saying that we won't vote for waiving Rule 8 for one of our colleagues, the next time it will be one of the rest of us. So I support the procedure. I may not necessarily vote for the bill.

Mr. Ricciardi:

Mr. President, just on the Rule 8 issue. I would just like to point out to the public that this City Council has suspended Rule 8 in the last two years I would say in excess of 300 times. At times we have suspended Rule 8 dealing with bond issues in excess of \$20 million. Rule 8, as it reads, and I don't have it in front of me, is a procedural matter when business has to be discussed within a framework because of time issue. We've suspended Rule 8 numerous times for Mr. Cohen when it came to the Department of Engineering

and Construction.

I would just like to make those comments known and I thank you for your time, Mr. President.

Mr. President, you mentioned that it needs six votes and not five? Why is that?

The Chair:

The Rules of Council say that suspending Rule 8 needs six votes.

Mr. Cohen:

Mr. President, very briefly. Mr. Ricciardi had two months during the budget discussions when this issue should come up and did come up. He had two months in November and December. He had five weeks under the Home Rule Charter in which to introduce this bill. He introduces it at the last minute and I don't think that we should be rushing to fire people, procedural or not procedural.

The Chair:

Let me just finally say the last word. The reason why I would like to see Rule 8 suspended on this bill is that I don't want to see Council get into a discussion on each and every Rule 8 that is suspended, the motion that is put on the floor in the future. Potentially, we create that situation if this bill fails to have Rule 8 suspended. That's my reasoning behind that suggestion.

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Darkins
Mr. Ferlo
Michelle Madoff

Mr. Onorato
Mr. Ricciardi
Mr. Wagner
(Pres't)

AYES 6

NOES 3

VOTING NO:

Mr. Cohen
Mr. Millions

Mr. O'Connor

And there being two-thirds of the votes of Council in the majority, the motion passed finally.

The Chair presented

No. 133 Petition from the residents of the City of Pittsburgh, requesting a public hearing to discuss the 1992 fees, possible surcharges and limited play at the Schenley Park Golf Course.

Also,

No. 134 Petition from the residents of the Homewood-Brushton area of the City of Pittsburgh, requesting a public hearing to discuss extensive landslide damages to URA-funded housing units located on Haverhill Street, 13th Ward.

Also,

No. 135 Communication from the Board of Property Assessment, Appeals and Review submitting its total assessments of land and building for the City of Pittsburgh applicable to the year 1992.

Also,

No. 136 Communication from George R. Whitmer, Executive Director, Urban Redevelopment Authority, submitting a report titled "Position and Salary Report" of said Authority, as of December 31, 1991.

Also,

No. 137 Communication from Sophie Masloff, Mayor, City of Pittsburgh, submitting an updated Table or Organization reflecting the 1992 budget.

Which were severally read, received and filed.

REPORTS OF COMMITTEES

Mr. Milliones presented

Bill No. 138

Report of the Committee on Finance for January 22, 1992 transmitting one ordinance and sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 53

An Ordinance entitled, "An Ordinance amending Ordinance No. 28 of 1991, approved July 12, 1991, by amending the Pittsburgh Code, Title One - Administrative, Article XI, Code of Conduct, Chapter 197.07, by establishing further limitations on offering or accepting gifts and favors; and Chapter 197.08, by establishing clearer requirements for filing a Statement of Affiliations. (AS AMENDED IN COMMITTEE)

—(SPONSORED BY MR. RICCIARDI)

Which was read.

The Chair:

I requested a legal opinion on Mr. Ricciardi's bill, and it has not yet been received. I don't know if every Member of Council received that letter. I wanted our Solicitor to interpret that last paragraph. As of this stage, it has not yet been received and I'm going to leave it up to my colleagues to decide whether or not the bill should be held. I personally feel uncomfortable unless I know precisely what I'm voting on.

Michelle Madoff:

Mr. President, you can always offer an amendment at a later time, but I think to hold this bill and have further discussion it would not go to the character of this Council. I think we ought to vote on it today.

Mr. Ricciardi:

If I may, Mr. President. I took your comments into consideration and I think you have made some good comments at the last meeting.

I have before me an amendment to delete the term "anything of value" and I would like now to pass that amendment out to my colleagues and yourself. Hopefully it will receive a second. I believe under procedural rules, Michael Perry, that we can delete that, correct?

Mr. Perry:

Yes, you can.

Mr. Ricciardi:

I'd hate to see this bill held, Mr. Wagner, so I make a motion to delete the term, "anything of value shall be interpreted broadly so as to include uncompensated or subsidized use of City

and Authority facilities, vehicles, equipment and other property for personal use". Once we get the legal ruling from Mary Conturo, we can either proceed with the paragraph or not. So, a motion to delete, Mr. President.

Mr. Ferlo seconded the motion.

Michelle Madoff:

Discussion. Mr. Ricciardi, in what way does it change the legislation and what impact will it have, please?

Mr. Ricciardi:

Well, it does not change the legislation when it comes to perks such as cultural and athletic events, tickets in those events. Unfortunately, I think it does not totally clarify anything of value in the first paragraph under Chapter 197.07.

But in the interest of moving the bill along and not holding it further, we've already held it a week, Ms. Madoff, I'd like to make an amendment to delete that and if myself or anyone else is interested in bringing the paragraph back up, we could always discuss it at a later date.

Michelle Madoff:

My concern is that you have now neutered the bill entirely, that you have wiped out the intent of the bill by taking that paragraph out. I'd like you to clarify that for me.

Mr. Ricciardi:

No, we haven't.

Michelle Madoff:

Excuse me. Let me ask my question. What will the bill, in the present state with that

paragraph deleted, prohibit? What will it change? How will it change things?

Mr. Ricciardi:

Admissions in cultural or athletic events not to exceed \$250 per calendar year in the aggregate, and \$100 per calendar year from any single person, agent or other interested parties.

I think those are the key words that is most important to address because of some of what I consider abuses that have been happening with some of our authorities and the potential abuses that could happen with other either elected officials or City employees.

So, I thank you for your comments, Michelle; they do have merit. But I would like to move the bill without that paragraph.

Mr. Ferlo:

I just want to support the amendment in light of what you said, Mr. Wagner. I think all legislation, whether in this bill or any other bill, should be very explicit and be very clearly understood to anybody who is obligated to perform under it and I think it clarifies very succinctly what it is that we can and can't do.

The main impetus for this legislation was the so-called ticket gate and that was the tremendous amounts of tickets being provided to various public officials, non of which was evidenced in relation to Members of Council, as you pointed out, and I think we should support the amendment. I don't want to go see the Pirates anyway.

The Chair:

All those in favor of the amendment?
Those opposed?

WHICH MOTION PREVAILED.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Millions	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 40

A Resolution entitled, "Resolution providing for the issuance of a \$920.00 warrant in favor of GBM Pittsburgh, Inc. in settlement of claim for property damage."

Which was read.

Also,

Bill No. 41

A Resolution entitled, "Resolution providing for the issuance of a \$870.00 warrant in favor of Joel Rishel for vehicle damage."

Which was read.

Also,

Bill No. 42

A Resolution entitled, "Resolution providing for the issuance of a \$20,258.59 warrant in favor of Jon and Carol K. Monnig in settlement of claim for property damage."

Which was read.

Also,

Bill No. 43

A Resolution entitled, "Resolution providing for the issuance of a \$900.00 warrant in favor of Clement P. Martinez for vehicle damage."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Millions	(Pres't)

AYES 9 NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 44

A Resolution entitled, "Resolution providing for an agreement with Dickie, McCamey & Chilcote, P.C. for professional legal services for the City Controller."

Which was read.

Michelle Madoff:

Mr. President and Members of Council, as you recall, I was questioning and asked Mike Perry to pull a letter dated March 1, 1991 -- I don't know if all my colleagues got it or whether I just got it -- to Tom Flaherty from Mr. May of the Dickie, McCamey and Chilcote firm. Did all the Members get it?

Mr. Perry:

I believe only you, Michelle.

Michelle Madoff:

Well, since I'm the only one that got the letter, some of my colleagues were not here at the time, I would like to just summarize what we received. It's easier just to read it.

"Mr. Perry has requested a breakdown of how much money was spent on contract litigation and how much was spent to defend the City Controller on lawsuits initiated by employees for the year 1990.

The breakdown is as follows: Of the \$65,000 retainer paid to Dickie, McCamey and Chilcote, 430 hours were worked on on cases broadly defined as lawsuits initiated by terminated employees; and 853 hours were worked on other matters. That is approximately

one-third."

My purpose in addressing this issue is that I think it focuses some picture on what goes on and what has happened in that office that is unprecedented in the history of that office. But really, I'm presenting it to focus on the issue that was brought before Council by myself that should any Member of Council or any department head need private legal counsel, we should have the same prerogative that the Controller has. This is someone of his choosing. Private outside counsel. \$65,000. And if any of us are involved in litigation because of our jobs, because we are elected officials, then we also must have that same prerogative. Thank you.

Also,

Bill No. 45

A Resolution entitled, "Resolution providing for conveyance by the City of Pittsburgh of certain property, under Act No. 171 of 1984, entitled, 'Second Class City Treasurer Sale and Collection Act', effective December 11, 1984."

Which was read.

Also,

Bill No. 46

A Resolution entitled, "Resolution providing for conveyance by the City of Pittsburgh of certain property, under Act No. 171 of 1984, entitled, 'Second Class City Treasurer Sale and Collection Act', effective December 11, 1984."

Which was read.

Also,

Bill No. 47

A Resolution entitled, "Resolution providing for conveyance by the City of Pittsburgh of certain property, under Act No. 171 of 1984, entitled, 'Second Class City Treasurer Sale and Collection Act', effective December 11, 1984."

Which was read.

Also,

Bill No. 48

A Resolution entitled, "Resolution Repealing Resolution No. 981, Item C, effective October 21, 1991, which authorized the sale of property in the 9th Ward, being a vacant lot 12.72' x 95', located at 417-1/2 42nd Street, designated as Block 49-L, Lot 126, to Richard A. Kosuda and Christine Kosuda, his wife, for the sum of \$300.00."

Which was read.

Also,

Bill No. 49

A Resolution entitled, "Resolution Repealing Resolutions, approved on various dates, authorizing the sale of properties in various Wards of the City of Pittsburgh, in accordance with Act No. 171 of 1984."

Which was read.

Also,

Bill No. 50

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties, acquired at tax sales in accordance with Act No. 171 of 1984,

'Second Class City Treasurer Sale and Collection Act', effective December 11, 1984."

Which was read.

Also,

Bill No. 51

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties, acquired at tax sales in accordance with Act No. 171 of 1984, 'Second Class City Treasurer Sale and Collection Act', effective December 11, 1984." (AS AMENDED IN COMMITTEE)

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 75

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of the Commonwealth of Pennsylvania for refund reimbursements received from Pittsburgh Clean City Committee and Program Research and Development for disallowed costs from the subrecipient audit for the period ending June 30, 1989."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 9

NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bill passed finally.

Mr. Darkins presented

Bill No. 139

Report of the Committee on Public Works for January 22, 1992 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 14

A Resolution entitled, "Resolution amending Resolution No. 848, approved August 21, 1991, effective August 31, 1991, entitled 'Granting unto the Pittsburgh Playhouse, 222 Craft Avenue, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense a handicap ramp on a portion of the sidewalk of Hamlet Street in the 4th Ward, 6th District of the City of Pittsburgh.'"

Which was read.

Also,

Bill No. 15

A Resolution entitled, "Resolution granting unto the Burton L. Hirsch Funeral Home, Inc., 2704 Murray Avenue, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a canopy covering for the front entrance of their funeral home on a portion of the sidewalk of Murry Avenue in the 14th Ward, 5th Voting District of the City of Pittsburgh."

Which was read.

Also,

Bill No. 16

A Resolution entitled, "Resolution granting unto the Lawrence Galie, 345 William Street, his successors and assigns, the privilege and license to construct, maintain and use at his own cost and expense, a concrete driveway in the 18th Ward,

3rd Voting District of the City of Pittsburgh."

Which was read.

Also,

Bill No. 17

A Resolution entitled, "Resolution granting unto the Jewish Woman's League of 2336 Shady Avenue their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a concrete handicap ramp and steps in the right of way of Pittock Street in the 14th Ward, 5th Voting District of the City of Pittsburgh."

Which was read.

Also,

Bill No. 18

A Resolution entitled, "Resolution granting unto the Medical Center Brace Company of 33 S. 19th Street, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a handicap ramp, entrance way and canopy on a portion of the right of way in the 17th Ward, 3rd Voting District of the City of Pittsburgh."

Which was read.

Michelle Madoff:

Mr. Perry, on Bill 18, didn't we get interim approval? I believe I circulated that interim approval myself for the handicapped ramp.

Mr. Perry:

No, not this one.

Michelle Madoff:

Are there two medical places opening on the South Side that need medical ramps?

Mr. Perry:

Not this bill.

Michelle Madoff:

I think you're mistaken but we can clarify it later.

My concern is that I see no reason why Council should hold up any development because of a handicap ramp. I would like to see authorization given to the Administration on that so we do not have to wait until it comes before Council.

Let me tell you why I'm discussing this. I was contacted by a develop who is moving into the South Side and couldn't open his operation to provide prosthesis for handicapped people or any services to handicapped people because he didn't have a ramp. Now, we don't want to discourage people from relocating and keeping businesses in the City and it was a very serious financial problem for him. I got an interim approval; I know I circulated it myself.

This should be something we shouldn't even have to discuss or hold anybody up and I would like to see us look at that as an issue and avoid this kind of thing in the future.

Mr. O'Connor:

I don't understand. Are you saying we should let them open without handicap facilities? If he doesn't have the money to build it, that's his problem

Michelle Madoff:

No, no, no. He had the money to build it. He needed approval and the approval had to wait until it came before Council. I circulated an interim approval so that they could get on with it and they could open to service their people. People should not be held up. Business developers or a man who has a business who is going to serve handicapped people. Any business should not have to delay until we get around to it because of the holidays or because of vacations or what have you.

I don't think there's a person here that would say if somebody wants to build a handicap ramp for handicapped people that we don't want it to happen. I'm just saying, let it happen sooner than later.

Mr. O'Connor:

How long does it take now?

Michelle Madoff:

Until we vote on it.

The Chair:

Councilwoman Madoff expedited the process with an interim approval. That's how to do it.

Also,

Bill No. 19

A Resolution entitled, "Resolution granting unto Peter Contis, 33 Minooka Rear House, his successors and assigns, the privilege and license to construct, maintain and use at his own cost and expense, a fire escape over an alley named Santa Clause Way in the 16th Ward, 3rd Voting District of the City of Pittsburgh."

Which was read.

Also,

Bill No. 20

A Resolution entitled, "Resolution granting unto Donald and Helen Oakes, 1738 Hallowell Street, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, an encroachment in a portion of the right-of-way of Adze Way in the 32nd Ward, 4th Voting District of the City of Pittsburgh."

Which was read.

Also,

Bill No. 21

A Resolution entitled, "Resolution granting unto Dolores Fauth, 407 Clarence Street, her successors and assigns, the privilege and license to construct, maintain and use at her own cost and expense, a portion of the right-of-way of Crooked Way in the 19th Ward, 2nd Voting District of the City of Pittsburgh."

Which was read.

Also,

Bill No. 22

A Resolution entitled, "Resolution granting unto Teresa Borelli, 4801 Interboro Avenue, her successors and assigns, the privilege and license to construct, maintain and use at her own cost and expense, a 60' x 10' portion of a paper street called Navy Way in the 31st Ward, 5th Voting District of the City of Pittsburgh."

Which was read.

Also,

Bill No. 23

A Resolution entitled, "Resolution granting unto Richard Swann and Ruth Ann Swann, 4737 Interboro Avenue, their successors and assigns, the privilege and license to construct, maintain and use at their own cost expense, a 60' x 10' portion of a paper street called Navy Way in the 31st Ward, 5th Voting District of the City of Pittsburgh."

Which was read.

Also,

Bill No. 25

A Resolution entitled, "Resolution changing the name of Unnamed Alley #7 that intersects Gettysburg Street between Reynolds Street and Edgerton Avenue, located in the 14th Ward, 5th Voting District of the City of Pittsburgh."

Which was read.

Also,

Bill No. 26

A Resolution entitled, "Resolution vacating a portion of Ophelia Street in the 4th Ward of the City of Pittsburgh. Beginning at a point on the east corner of Lawn Street and Ophelia Street, thence in a eastwardly direction 28.07 feet more or less point; thence in a southeastwardly direction 61.92 feet more or less to a point; thence south 16.23 feet more or less to a point; thence northwardly direction 23.18 feet more or less to a point thence eastward 48.69 feet more or less to a point; thence southeastwardly direction 15.99 feet more or less to Lot No. 43 in Mary A. Barr Plan of Lots recorded in Plan Book Volume 11,

Page 38, thence along lot No. 43 N. 27 degrees - 43 degrees W. a distance of 31.14 feet more or less to a point; thence along Ophelia Street in a northeast direction curving to the right an arc distance of 195.35 feet more or less with a radius 196.37 and the angle 57 degrees to the place of beginning."

Which was read.

Also,

Bill No. 27

A Resolution entitled, "Resolution amending Resolution No. 423, approved May 6, 1991, effective May 10, 1991, entitled 'Vacation of Attica Street' in the 20th Ward, 2nd Voting District of the City of Pittsburgh."

Which was read.

The Chair:

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Cohen presented

Bill No. 140

Report of the Committee on Planning, Housing and Development for January 22, 1992 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 10

A Resolution entitled, "Resolution providing for the filing of a 1992 application by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the Stewart B. McKinney Homeless Assistance Act of 1987 - Emergency Shelter Grants Program; and providing for the execution of grant contract(s) with nonprofit organization(s); creating a special trust fund in connection with the project; providing for the deposit of the funds in the appropriate account."

Which was read.

Also,

Bill No. 52

A Resolution entitled, "Resolution Repealing Resolution No. 531 approved May 30, 1991 entitled, 'Providing for an Agreement or Agreements with the Hill District Federal Credit Union for administrative/operating assistance at a cost not to exceed \$5,000.00.'"
---(SPONSORED BY MR. MILLIONES)

Which was read.

Also,

Bill No. 71

A Resolution entitled, "Resolution authorizing the URA of Pgh. to acquire all of the City's right, title and interest, if any, in and to the publicly-owned property in the 12th Ward of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County, as Block 125B Lot 167, under the Residential Land Reserve Fund."

Which was read.

Also,

Bill No. 72

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the URA of Pgh. and Abraxas Group, Inc. for the sale of Block 125B Lot 167 in the 12th Ward of the City of Pittsburgh (PARKING LOT)."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Ferlo presented

Bill No. 141

Report of the Committee on General Services for January 22, 1992 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with a **NEGATIVE** recommendation,

Bill No. 31

A Resolution entitled, "Resolution amending Section 6 of Resolution No. 384, approved May 2, 1991, entitled, 'A Resolution authorizing the City to incur lease rental debt in the amount of \$14,000,000 by entering into an equipment lease with City of Pittsburgh Equipment Leasing Authority at annual rentals in varying amounts which will be sufficient to pay the principal of and interest on the Authority's equipment revenue bonds, Series of 1991, the proceeds of which will be used to pay the cost of acquiring equipment and paying financing costs relating to that series; approving the form of lease and authorizing execution of the official statement relating to the Authority's bonds,' by prohibiting the rental of Pumper/Ladder Trucks by the City of Pittsburgh from the Equipment Leasing Authority until authorized by Council." ---(**SPONSORED BY MR. FERLO**)

Which was read.

Also, with an **affirmative** recommendation,

Bill No. 32

A Resolution entitled, "Resolution amending Section 1 of Resolution No. 562, approved July 16, 1980, entitled, 'A Resolution authorizing the formation of a Municipality Authority to be known as City of Pittsburgh Equipment Leasing Authority, adopting a form of Articles, authorizing the execution of Articles and the filing with the Secretary of the Commonwealth and appointing members,' by specifying the project or projects to be undertaken by the Equipment Leasing Authority." (AS AMENDED IN COMMITTEE)
---(**SPONSORED BY MR. FERLO**)

Which was read.

Mr. Ferlo:

I like to make a motion to recommit Resolution No. 31 as well as Resolution No. 32 which did receive unanimous support from Council. That involves the long term purchasing of equipment. The Solicitor sent us an advisory memo on that in relation to the timetable. For purposes of discussion and some continuity, I'd like both bills recommitted, voted on and then procedurally voted on in final action under the February 4th meeting in light of the Solicitor's memo to Council.

Mr. Cohen seconded the motion.

WHICH MOTION PREVAILED.

Also,

Bill No. 33

A Resolution entitled, "Resolution amending Resolution No. 1131, effective November 7, 1990, entitled: 'Providing for the letting of a contract or contracts for the furnishing and delivery of a Trash Collector/Sweeper and a

Gang Mower and providing for the payment thereof,' by increasing the total project allocation by \$4,000 from \$30,050.00 to \$34,050.00."

Which was read.

Also,

Bill No. 35

A Resolution entitled, "Resolution providing for an Agreement or Agreements and/or a Contract or Contracts, or for the use of existing Agreements or Contracts for the leasing of office space, and the necessary services and equipment required due to the relocation and housing of the various occupants of the Public Safety Building, and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 36

A Resolution entitled, "Resolution providing for the letting of a contract or contracts, or to exercise against existing contracts, for furnishing and/or installing energy conservation equipment for the Department of General Services, and providing for the payment of the cost thereof. Funds are available in Capital Account 3-30-01-0004-92, Index Code 831180, Energy Conservation Improvements for Public Buildings, Department of General Services.

Which was read.

Also,

Bill No. 37

A Resolution entitled, "Resolution providing for the letting of a contract or contracts, or to exercise

against existing contracts, for various repairs and renovations to City facilities, and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Michelle Madoff presented

Bill No. 142

Report of the Committee on Water for January 22, 1992 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 38

A Resolution entitled, "Resolution authorizing

an Agreement or Agreements with a third party Credit Rating Agency for professional services for the filing of past due account data and for pre-collection dunning notification to delinquent water customers for credit rating purposes."

Which was read.

Michelle Madoff:

I'd like my remarks brought forward on this bill, please.

(REMARKS ON FOLLOWING PAGE)

(MICHELLE MADOFF'S COMMENTS ON BILL NO. 38-Wednesday, 1/22/92)

Michelle Madoff:

Mr. Chairman, this is to correct a grievous problem that existed for 35 years in the Water Department on delinquent accounts. The concept here is that an agency who will be chosen by the Water Department will be sending delinquent notices to customers for just \$1.00, it will not cost us one penny above the \$1.00, notifying people that their credit rating will be in jeopardy, that if they go to buy a car, house, want to open a credit account, anything, their name will appear for I believe up to seven years. Clarence is moving expeditiously in this.

(END OF REMARKS)

(Transcribed by Helen L. Kriebel)

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Ricciardi presented

Bill No. 143

Report of the Committee on Engineering and Construction for January 22, 1992 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 57

A Resolution entitled, "Resolution amending Resolution No. 899, effective October 9, 1991, entitled 'Providing for a Contract or Contracts, or use of existing Contracts, for the Restoration and Renovation of Market Square and for the purchase of equipment and materials for said project; and providing for the payment of the

costs thereof,' by decreasing the total project allocation by \$100,000.00 from \$1,500,000.00 to \$1,400,000.00."

Which was read.

Also,

Bill No. 58

A Resolution entitled, "Resolution providing for a Cooperation Agreement or Agreements with the Urban Redevelopment Authority for the purchase of materials in connection with the Market Square Project; and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

Michelle Madoff:

Mr. President, I have two issues which I'd like to discuss on our only opportunity which is Tuesday.

One of the mistakes we made, and I just talked to my colleague, Mr. Ferlo, is that on our post agenda today on the problems with our refuse collection and on the snow removal, because it's a post agenda, we do not cablevise. When I introduced my legislation originally that would put Council on cable gavel ~~in~~ gavel, the intent was to let people know what's really going on.

I wish Council would reconsider having our post agendas, the important ones, cablevised. But since it won't be, in the future we ought to move to have them as hearings when we think they're important as opposed to post agendas because on hearings we can vote to show to the public. And it's the public's right to know.

What that in mind, since it will not be cablevised, I am very distressed to learn through the media, through finding out in a Saturday Press which nobody reads, who reads Saturday afternoon's Press, that the report was that there were 30 people in the Refuse Department who had their licenses lapse.

Now, these people may or may not be to blame. Somebody was in charge. Who was minding the store and why were these people not helped along the way and why wasn't their position protected? I hope that these people won't become throw away people because it appears that all of them may not get their licenses. And I hope that they will have first opportunity at other jobs.

I'm very concerned about that because

the overall effect is that the community suffered but the way this all happened was because management, the Administration, in a sense didn't do their job.

That was just something I wanted to point out and I have another item unless somebody wants to comment on that.

The Chair:

If I may just interject, there are two post agenda meetings immediately following this meeting, one being held by Councilman Cohen pertaining to discussion regarding refuse pick up throughout the City. And following that post agenda, one held by Councilwoman Madoff pertaining to snow removal throughout the City. So, we will soon be discussing both issues in great detail.

Michelle Madoff:

But unfortunately the public will not be privy to them because they're not cablevised.

The Chair:

Council Chambers is open to anyone who wants to be here.

Michelle Madoff:

But they didn't know we're having a post agenda. My point is that we ought to, if it's an important issue, and it was my fault on the snow and I should have mentioned it to my colleagues to have a hearing instead of a post agenda.

Mr. Cohen:

On that issue. The reason that I called it as a post agenda was so that we could engage in dialogue with the Administration and get some answers. But I agree that if the problem

continues, then we should do it in the form of a public hearing. But let's start with a post agenda, get some answers. The Administration apparently has an action plan, and let's see what they have to say.

Michelle Madoff:

My purpose in suggesting that in the future on serious matters such as this we have hearings instead of post agendas because I bet there isn't a Member of this Council that didn't get calls from their constituents on garbage pick up at home on Saturday night, the middle of the night, Sunday mornings, seven days a week, all hours of the day. People are very, very upset on both of these issues and I think they have a right to listen to what the Administration has to say. That's my only difference and my dichotomy in why we ought to proceed in a different manner.

On the other issue. I would like to share with my colleagues, particularly my new colleagues, that when we voted on the Pirate public-private partnership I was on this Council. I am the historian, remember? And we did indeed agree to pay the \$4 million.

At that time, I was instrumental in bringing in some private consultants, that we have a private consultant help us with our decision-making so that we didn't vote in a vacuum and the people, the public and the voters understood that we voted on the basis of fact and not what we felt emotionally about all of this.

At that time, I was very irate and the Minutes will reflect that and the transcripts will reflect that, that the City of Pittsburgh with its declining population was carrying the Pirates entirely. And we know that all amenities, whether it's the Pirates, the Stadium, the Convention Center or the Civic Arena, the Aviary, Phipps Conservatory, the Zoo, are frequented three-quarters of the time by non-City

residents.

And I want to remind people that when a City resident goes to watch a Pirate game, we pay for parking the same as a suburbanite does. When we buy a hotdog, we pay for that the same as a suburbanite does. But, at the end of the year, the City of Pittsburgh taxpayer reaches in his pocket and pays the debt service which is not paid for by the County. And after much haggling and much screaming and yelling, the County gave us a pittance, I think it was \$426,000, and it was to be surreptitiously given to us to go to the General Fund through the Zoo.

Now, if the Pirates leave this City, if we do not have the money to keep the Pirates here, be a City that can keep that kind of amenity, the responsibility is square and belongs in the Commissioner's Office. The County has got to support and help us support the Pirates. The City of Pittsburgh taxpayer is going from 700,000 people over 20 or 30 years down to a present 370,000 and cannot support this burden in its entirety.

I would ask that the President of Council speak with the Administration and once more try to prevail upon the Commissioners that this is a community of 135 municipalities, townships and boroughs, whereas Philadelphia has a population which is very large and is one city. It's a county and a city combined.

We need to impress upon the Commissioners that if they want to have a first-league baseball team, they have got to start to kick in on it. And I'm tired of all the arguments, "Well, we pay for the Jail and we pay for this and we pay for the other thing." Either they want to help keep this team here or they don't.

And I also want to tell you that I am a person of my word. I voted to give that money to the Pirates to save the team. We owe it; let's pay

it.

Mr. Ricciardi:

Same issue, Mr. Wagner. I believe Michelle raises some very good points. However, I would like to say that I would hate to see this become a battle of the City government versus the County government because each branch can say that they did something. For example, I believe the County is the one who donated the land for the Stadium and the land surrounding the Stadium. So, I hate to see a war on who gave what the start.

I would like to say, though, that I have spoken to several sources and they all do insist, as Michelle states, that we did make the commitment of the \$4.2 million. And if we made that commitment, I think that we should honor that commitment and I think the Stadium Authority Board should float a \$5 million bond to pay it off over 30 years.

Mr. O'Connor:

From remembering a couple of years ago and reading it in the paper, wasn't that \$4 million on the agreement that we were going to sell the Stadium and lease it back?

Michelle Madoff:

No, no. You'll love this answer. Our consultant said to Members of Council -- he was asked by Mr. Stone, "How do you think we ought to vote?" -- He said, "I'm not here to tell you how to vote; I'm not elected. The Pirate franchise is like a cow. As long as a cow gives milk, you're making a profit and you keep the cow. When the cow stops giving milk, you kill the cow for the meat. That's your franchise and you sell the franchise."

That's my answer to Mr. Ferlo. I'm afraid

that if we dilly-dally and say, "Let's not get involved and let's wait", the time may come where we have the usual 20 minutes to vote, which always happens when we have to vote on a major bond, and at that point it would be too late to save the team. That's why I'm raising the issue now involving the County. We cannot wait. It may be getting to the time where it's getting to be too late.

The Chair:

I know you have requested that I do something as President of Council in terms of going to the Commissioners. I do not intend to do that.

In regards to the Pirates, I view the Pirates as being a regional entity, not just an Allegheny County entity. The same with the Aviary and the Carnegie Museum and on and on and on. I truly believe that the responsibility for funding of those various entities lies in the hands of Harrisburg, our State Legislators and our State Senators. And they have to pass a bill that provides a regional funding source for these regional facilities that are in the City of Pittsburgh.

That's really the answer to the issue and thank God the Commissioners came forth with \$426,000, or else we would have to put up more money to keep the Pirates.

But I agree with you on the other part that there is a commitment out there and I think the less we discuss this whole issue publicly and the more we negotiate it privately, the better chance we have of reaching some conclusions with the Pirates.

Michelle Madoff:

Unfortunately, Mr. President, it's already a public issue. It's in all the newspapers, all the

editorials. You can't say now let's do it privately. It is a public discussion and I think it was important since I was here and I voted on it to relate what did happen. It's a matter of record.

But I would just like to challenge one statement you made. You know that you and I have attended meetings where we talked about creating regional facilities to manage all these entities that everybody takes advantage of in the five county region. But I don't want to hold my breath that long. I'm just saying that in the interim I disagree with you when you say that the Commissioners need to wait for Harrisburg. I think they can't wait. If they want to keep the team, they've got to help us keep that team now.

Mr. Ferlo:

Mr. President, I read your comments in the paper on Saturday. I agree with part of what you said but was disappointed with part of it. You had made the comment that you had hoped that there would be more fruitful discussions, you used the phrase I believe privately or non-public discussions between the Administration and the Pirate Management. In that sense, I agree with you.

I disagree with you on the notion that we do, in fact, have some legal outstanding obligation in regard to the \$4.5 million bond issue. I don't think my position on the original bond issue is any secret. I opposed the bond issue and I still do. I believe that private individuals could have been sought to purchase the initial franchise.

Regarding the current situation, it is public. I think we need to talk about it and I think we need to hear, either privately or publicly, from the Administration their side of the story and what their rationale is and how they will defend themselves in the City regarding the litigation. So, at some point I would ask for some

appropriate meeting. I don't think there's any problem with their being a public meeting regarding this litigation.

Secondly, if the Clerk could pull the background material regarding any formal action. I was led to believe the only legal resolution was Council's resolution authorizing the bond of roughly \$21 million, of which twenty went to the Pirate Organization. I'm not aware of this legal resolution that was voted on regarding this so-called \$4.5 million. So, if we could get a clarification on that. Some public policy commitment by previous Mayors or the previous Council is not a binding legal resolution.

Thirdly, the value of the Pirate Franchise has probably tripled since the period initially when it was purchased and changed hands. I support the Administration strategy and that is that the remaining non-public owners of the Pirates ante up to protect the investment and franchise that has greatly increased in value, or that additional investors be sought. I would never vote for an additional \$4.5 million debt service for the Pirate operation, but I have voted in the last four years for allocating various dollars, including Capital Bond Funds as well as allocating State dollars for improvements and repairs to the facilities, which you had mentioned earlier. In fact, I think we've spent upwards of \$10 million to \$13 million in the last four or five years alone regarding everything from ramps to roadways, pavements, escalators. You name it and we've allocated dollars to it. But at some point I think we need to hear from the Administration.

Michelle Madoff:

And the issue goes back to communication. We need better communication.

The Chair:

But ultimately the issue will come back to Council because whatever is agreed upon has to be approved by this body.

Michelle Madoff:

And, Mr. President, ultimately may give us 20 minutes to vote. That happens all the time.

The Chair:

Not this time.

Michelle Madoff:

I hope not.

Mr. Cohen:

Mr. President, I have two issues I'd like to speak of briefly, and I think they probably both go to the issue of communication that Michelle raised.

One is, I'm very concerned about the City's ability to attract and retain department stores. Department stores, as we all know, are critical anchors for retail commercial development and the recent news that we have received is very disturbing.

Yesterday, as we all know, Macy's filed for bankruptcy. That at least puts in doubt the ability of Macy's to be the anchor tenant at City Center.

Sears, of course, left Allegheny Center or is preparing to leave Allegheny Center, which Councilman Onorato has spoken about at length.

The Gimbel's Building has been vacant for years and really is a blight on that section of Downtown.

We hear rumors about Horne's financial condition. I don't think we should be discussing rumors here but we at least hear those rumors.

I think that all of this together is a blow to economic development for Pittsburgh. What I would suggest that we do, and I'm open to options as to how to go about it, is to meet with the Administration to find out what they are doing, the Administration and URA officials, to attract and to retain department stores in the City of Pittsburgh. We can either do that as a separate meeting with Mr. Whitmer of the URA and Mr. Mistick or others from the Administration, or a post agenda. Either way. But I think this is an issue that we need to discuss.

The Chair:

However you want to follow up on it, we will.

Mr. Cohen:

Mr. President, if we could set up a meeting with them about this issue.

The Chair:

Good idea.

Mr. Cohen:

Thank you.

On another issue, very briefly. On October 25th of last year, City Council voted for a motion regarding allegations of racism against the National Apartment Leasing Company. We sent a letter to the Solicitor, Mary Conturo, asking the following questions: one, whether the City can sue NALCO; two, whether General Services has any contracts with NALCO so that if they do we can suspend them until these allegations are

resolved; three, whether we can increase fines in the Human Relations Act and maybe add punishment damages or punitive damages; and four, what the status is of the Human Relations Commission's suit against NALCO.

It has now been over three months since our communication and we haven't received a response from the City Solicitor. These allegations are very serious allegations, as we all know.

There are affidavits from former employees of NALCO that state that they had training sessions for identifying African-American applicants, both job applicants and potential tenants, that they mark their lead sheets that way, that they threw away those lead sheets and said that there weren't to be any further contacts with African-American applicants.

These are grave and serious allegations. Frankly, they're disgusting if they're true and I think it's irresponsible for us not to take it more seriously. So, what I'd like to propose is that if we don't get a response from the City Solicitor in a week, I'm going to be asking Councilmembers to not vote on Law Department bills until we receive that answer.

The Chair:

Mr. Perry, would you please send a reminder in that October 25th letter?

Mr. Ferlo:

On the same issue. First of all, I support Mr. Cohen and I thank him for bringing this back up to Council so we can get a progress report from the Administration.

As sort of an adjunct to what Mr. Cohen was talking about, we as a City have yet to adopt - We're not alone; in fact, most cities across the country have not yet adopted the amendments to the '88 Fair Housing Act. I think there's only a few cities in the country that have now modified their ordinance to deal with the Federal amendments as required and they have to be approved by HUD.

As part of his request, I'd like to also ask that we send a letter to the Administration regarding an update to Council on the status of any proposed amendments that we are legally required to act upon in relation to the Fair Housing Act of '88. They deal with family status and, as Mr. Cohen talked about, they would actually strengthen the ability of the local municipality on enforcement of fair housing laws. I think we need an update. I think the deadline is September of this year.

The Chair:

Mr. Perry, please follow up on that also.

Mr. Ricciardi:

On a different issue. Mr. Wagner, I'd like to make a motion that we publicize next Tuesday's public hearing on a possible gun redemption program for the City of Pittsburgh.

Mr. Ferlo seconded the motion.

Which motion prevailed.

And on the motion of **Michelle Madoff**

Council adjourned.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXVI

Tuesday, February 4, 1992

No. 5

Municipal Record

ONE-HUNDRED TWENTY-SEVENTH COUNCIL

JACK WAGNER President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER Asst. City Clerk

Pittsburgh, PA
Tuesday, February 4, 1992

PRESENT:

MR. COHEN	MR. O'CONNOR
MR. DARKINS	MR. ONORATO
MR. FERLO	MR. RICCIARDI
MICHELLE MADOFF	MR. WAGNER
MR. MILLIONES	(Pres't)

The Meeting was opened by the recitation of the Pledge of Allegiance to the Flag of the United States of America, and a moment of silent prayer for peace throughout the world.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Darkins:

I would ask that Eddie Edwards and his family come forward.

To the President and to our colleagues on Council, as we have come another year and throughout the United States, February is designated as the Month of Black History. Today I find it a great honor and pleasure to read this resolution recognizing one of our outstanding African Americans here in the City of Pittsburgh.

Mr. Darkins presents

No. 179 WHEREAS, on January 15, 1991, Eddie Edwards realized his ambition by becoming owner of Pittsburgh Television Station WPTT-TV Channel 22; and

WHEREAS, Eddie Edwards' ownership of WPTT-22 makes him the first African American to have a television station in the Top 20 Broadcasting Market; and

WHEREAS, at the age of 40, Eddie Edwards is one of the youngest owner-operators in the broadcasting business; and

WHEREAS, Eddie Edwards is one of seven African Americans involved in ownership of a television station nationwide; and

WHEREAS, Eddie Edwards came to

Pittsburgh in 1977 as a radio personality for Radio Station 3WS, and simultaneously in 1978 as radio and TV personality for WAMO, KDKA and WPTT-TV 22; and

WHEREAS, Eddie Edwards began his broadcasting career with Pittsburgh Television Station WPTT-22 in 1978, earning his way to Special Program Development Manager, Community Affairs Manager, Operations Manager and ultimately to the position of Station Manager; and

WHEREAS, Eddie Edwards' skills as a technical engineer and expressive voice gave him the opportunity to broadcast and troubleshoot for NBC, Westinghouse and the Sheridan Broadcasting Corporation; and

WHEREAS, Eddie Edwards is active in the Pittsburgh community serving on several Boards of Directors, including the YMCA, the Greater Pittsburgh Commission for Women, the Salvation Army's "Toys For Needy Kids", a project that he created to assist underprivileged children during the holiday season.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby acknowledges and congratulates Eddie Edwards for his historic achievement and further recognizes his wherewithal to challenge inequities to reach his dream.

Mr. Darkins moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Edwards:

Thank you very much. I'm flattered. Since all this has happened, I can't say enough

about the support that I have received from the residents in Western Pennsylvania, especially right here in the City of Pittsburgh, as well as many, many of your Councilmembers. I thank you for your support.

I can promise you that this is not the end of my dream. As a matter of fact, I'll share just a little bit of what's going to be taking place later this year. I plan to open and operate a cable operation that will be based right here in the Pittsburgh area. It will be called The African American Broadcast Cable Network going from coast to coast. We will feature our movies. We will have movies produced. It will be headquartered right here in the Pittsburgh area and I promise you that you will be hearing a lot of news both nationally and locally about this endeavor.

If you don't mind, Bishop Darkins, let me make reference to my camera crew. Those are not representatives from WPGH, just for the record. We will air this piece during our Black History Month special later this month.

I would also like to recognize my father who made the trip from Cleveland, Ohio. As you know, my mother passed a few weeks ago and could not be here today. She would have been had she been alive. But I wouldn't have gotten as far as I have in life, and I have been very successful as a result of the rules, the ethics, that I was raised by. They wanted their children to be the best and all of us, each and every one of their eight children are extremely successful. I want to thank them; it wouldn't have been possible. I love him, will always love him in everything I do in life as a result of his guidance.

Finally, tomorrow I celebrate 20 years of marriage to this lady, my wife, Willette. Twenty years of support, guidance, just pushing me constantly to be the person that I wanted to be. I thank her for all the support and direction.

Thank you very much, and what a month to receive this, Black History Month, when we pay tribute to those who have charted the course for people like me and my generation to continue. Thank you very much.

Mr. Ricciardi:

I'd just like to say that the resolution is very well written but there's no way it could fully do you justice in terms of the community service that you provide the City of Pittsburgh. For example, I'm aware that you're very supportive of the Allegheny County Trails Association, a group that really looks out for at-risk children and teaches them the hard-core values and morals and ethics that you spoke of.

So, I would just like to say that there's a lot of other things out there that I know you're very involved with that are not on this resolution. Thank you for all that work.

The Chair:

Eddie, I could add one. I want to thank you for your involvement in the Veteran issues for a number of years, which is very meaningful. Thank you.

Mr. Cohen:

I just want to say that I'm glad that you're interested in getting into the cable industry, Mr. Edwards, and when you're interested in taking over the City's cable contract, please let us know because I'm sure you would provide more reasonable rates than the current one.

The Chair:

Thank you all.

Mr. Darkins:

Our next salute would be to John Adams. John, please come up and bring your family with you.

Again, I'd like to make mention that this is quite a day in our lives here in the City of Pittsburgh because a distinguished man that I felt is the one that should be among many honoraries this month in Black History Month is John H. Adams.

Mr. Darkins presents

No. 180 WHEREAS, John H. Adams is President of the Board of Directors of the Pittsburgh Business Resource Center, an agency created in 1972 to encourage corporations on both the local and national levels to purchase goods and services from minority entrepreneurs; and

WHEREAS, John H. Adams is Executive Director of the Pittsburgh Regional Minority Purchasing Council whose objective is to match corporations with minority-owned businesses and assist minority contractors in establishing contacts with major corporations; and

WHEREAS, John H. Adams is President of John H. Adams and Associates; and

WHEREAS, John H. Adams was the first African American to be President of the Downtown Pittsburgh Rotary Club; and

WHEREAS, thirty years ago John H. Adams published the first Black business directory in the City of Pittsburgh; and

WHEREAS, John H. Adams served as Alderman in the City's 5th Ward from 1964-1965; and

WHEREAS, John H. Adams serves on the Board of Directors for Urban Youth Action, the Greater Pittsburgh Convention and Visitors Bureau, the Allegheny Club and Renaissance Too Publications; and

WHEREAS, John H. Adams has received awards from the Minority Business Opportunity Committee of the Federal Executive Board, the Urban Youth Action, Talk Magazine, the Pittsburgh Jaycees, the National Association for the Advancement of Colored People and the United States Small Business Administration; and

WHEREAS, John H. Adams is a member of the Golden Star Lodge #143 F&M, Saint Cypriot #4, and the National Association for the Advancement of Colored People.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh recognizes John H. Adams as a man wholeheartedly dedicated to making opportunities available for African American Entrepreneurs to expand and be included in America's free enterprise system.

Mr. Darkins moved to adopt the resolution.

Michelle Madoff seconded the motion.

Which motion prevailed.

Mr. Adams:

Thank you, Councilman Darkins. How nice to smell the roses while you can. I say that because three years ago I was in these Chambers for a memorial service for Jim Jordan, a former Councilman who really started the entrepreneurial effort in the City of Pittsburgh when he created Business and Job Development Corporation.

At that time, Jim and I lived in the same apartment building. Jim said to me one day, "John, what do Black Americans in Pittsburgh and the nation really need?" I said, "A power base. They need to be involved in economic development. The free enterprise system is America, America is business, business is man's ability to deal in a marketplace." He said, "Why don't you come over to BJD and help us?" I said, "Jim, you don't have any money over there and I have a family to raise."

Shortly after that, they were able to get some money for Business and Job Development Corporation and I went to work for BJD. The rest is history and we don't have enough time for me to tell you the great things that have happened in the past 20 years. Not only the minorities in this City but minorities all over America.

We just celebrated on the 10th of January our 20th Anniversary. It was fantastic as we went back over the 20 years and saw all the good things that have happened for minority suppliers in America.

There are an awful lot of people that I could thank, but if I start naming names and being an old politician, I know better than that. But this room is filled with heroes, super patriots, super people that have made things happen not only for me but for all of us. But I will just take a moment to say thank you to my wife, Ernie, of 43 years, and I really deserve a medal. My two lovely daughters; my sister, Ida; my sister, Sadie; my brother, Tom; the closest thing I have to a son, my nephew; Ella, our very efficient Executive Secretary; and my daughter is our Administrative Assistant for the Business Resource Center.

So, Duane, thank you so very much and thank all of my good friends who came out to be with me on this occasion. Thank you.

The Chair:

Thank you all.

Mr. Milliones:

May I ask Mrs. Evelyn Parker and Rachel Poole to come forward, please?

Mr. Milliones presents

No. 181 WHEREAS, on Friday, February 7, 1992, the Pittsburgh Black Nurses In Action (PBNIA), a chapter of the National Black Nurses Association, Inc., will be celebrating their Third Annual National Black Nurses Day; and -

WHEREAS, PBNIA was established in 1972 to research, interpret and ascertain what the health care needs of Black Americans and other minority groups were, and to bring about changes in making available care to them equal to that of the larger society; and

WHEREAS, Black nurses have the unique ability, through knowledge, understanding, cultural background, experience and training to make significant improvements in the health care status of the Black and other minority communities; and

WHEREAS, PBNIA, through the National Black Nurses Association, Inc., is a strong advocate of higher education for all Black nurses, believes that health care must be relevant to the needs of Black patients, and that the development of Black leaders, researchers and educators, mandate excellence in education.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby recognizes Pittsburgh Black Nurses In Action for their commitment to excellence in education for Black nurses, and also their commitment to quality health care for

all persons, and declares Friday, February 7, 1992, as "National Black Nurses Day" in Pittsburgh.

Mr. Milliones moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. Milliones:

Thank you, colleagues.

I'd like to call on, at this time, Evelyn Parker to say a few words about her organization.

Ms. Parker:

Mr. President, Councilmembers, and Councilman Milliones in particular. I accept this citation on behalf of all the members of the Pittsburgh Black Nurses In Action which is a local chapter of the National Black Nurses Association. The National Black Nurses Association has 48 chapters throughout the United States and 2 in the Caribbean.

Our dedication is to improve the quality of health care made available to all citizens but in particular citizens of color. We want to make health care accessible and available at the best possible level for all persons who have need for health care, and that includes the total population. All of us, whether we consider ourselves well, not quite so well, and know definitely that we're sick. We all need health care.

Black nurses have made many strides despite barriers that have been placed before them to deny them access to admissions to school of nursing and deny them access to employment opportunities.

My own personal experience: I'm not

sure whether I should reveal my age, but anyway, when I was about 18 I always wanted to be a nurse. When it came time to apply for schools of nursing, there was not one hospital in the State of Pennsylvania that would accept Black students except Mercy Hospital in Philadelphia which was a Black hospital founded by Dr. Henry Minton for the purpose of providing Black interns an experience in a hospital and nursing students nursing experience in hospitals. That was in 1940 that I could not get admission to any school in the State of Pennsylvania except that one.

In our class there were 16 admitted from the East Coast, so that's not going to make a great impact in the number of Black nurses in the health care system. Out of the 16 that were admitted, 13 of us graduated; two of us from Pittsburgh. My classmate who lived in Pittsburgh chose to come back to Pittsburgh for employment. She applied to the Presbyterian Hospital for employment. After much discussion, they decided that they would accept her for employment on two conditions: one, that the patients would be consulted and the patients had to approve whether or not they would allow a Black nurse to provide them nursing care. The second condition was that she would work at night in order to reduce the amount of friction that she might feel from the medical staff. That's 1943.

So, we have made much progress in terms of acceptance in the school of nursing, and Rachel will talk to you and she'll tell you about her experience. But we have not made great strides in terms of employment opportunities beyond the level of staff nurses. We do need to encourage Black students to study hard, to choose their professions, and since we're in nursing we hope they will choose nursing, and have the feeling that if they choose this profession that they can go as far as they want to go. They can go as far as anybody whose skin is

not pigmented.

In other words, I would like to appeal to all of you here to do whatever you can to put in a word to make the employment opportunities for nurses better than they are at the present time. Thank you.

Mr. Milliones:

Thank you, Mrs. Parker for that important history lesson.

Now I'd like to call on a very special lady, Dr. Rachel Poole. She is also a nurse and was the first nurse that I knew. In my younger years when I started out to school at the University of Pittsburgh and was working at Western Psych, she was on the staff of the Nursing Department at the Institute and later became its first and perhaps its only African American Nursing Director.

When Mrs. Parker said that she wanted to honor the nurses, one of the first people that I thought of was Dr. Rachel Poole who not only has made a tremendous contribution in terms of nursing within the City and at the University, but was involved in the '60s very much in terms of the civil rights movement and I simply don't have enough time to tell you how much she means to me and how much I respect her.

Dr. Poole:

Thank you very much, Councilman Dr. Milliones; Jake to me because he's a kid as far as I'm concerned. Still one of my kids.

I did not prepare remarks for today; however, I have been told that I never run out of words, and I don't think that will happen today.

I wish to salute the Council for honoring the resolution, Black Nurses Day. I am always delighted to speak about nursing because nursing

is a part of a health care team and in my estimation it is the pivotal element, and therefore, one of the most important components of health care. I'm not sure that's always recognized by the general public. But I must say that Black nurses have made major contributions to the health care of the City of Pittsburgh, the health care of the Nation.

I am not currently an active member of the Black Nurses In Action of the City of Pittsburgh. At one time some years ago I was more active in that organization and in many others, including, as Jake has mentioned, many civil rights organizations and projects.

I have been involved in health care for many years. I am currently retired. As a matter of fact, I am watching the clock because I still am active in certain aspects. I'm an academic advisor at Homewood-Brushton Branch. About eight hours a week I usually do pre-nursing advising. It's pretty hard to get out of it when you have been in it so very, very long.

I truly wish to thank you for the honor today and I hope that you will take Mrs. Parker's remarks under advisement to recognize nurses, to encourage and, indeed, help the development of nursing education and to recognize that the group of people in the land have your health in their hand, primarily members of the nursing profession.

Again, thank you. I'm delighted to be here. Thank you very much.

Mrs. Parker:

I wanted to mention these names. They may not mean anything to you but these women have been trailblazers within this City of Pittsburgh:

Olivia Todd; her job was to put the quarantine signs on homes. At the time, homes

with communicable diseases were quarantined and you had to be homebound.

Jeannette Washington; almost anybody who had been reared in the Hill District knew Jeannette Washington. She is a public health nurse who knew almost everybody who lived in the Hill.

Pauline Hord; Pauline was one of the first Black nurses to be involved with the School District of the City of Pittsburgh.

Francis Chatman; Francis was with the Visiting Nurse Association at the Irene Kaufmann Settlement and had a great deal to do with improving the health care of people who lived in the Hill.

Rachel Poole, you just heard from Rachel.

Catherine Christopher, she is the young woman I told you was my classmate who I consider a trailblazer through employment opportunities at Presbyterian Hospital.

Adeena Davis; Adeena is the first Black graduate from the University of Pittsburgh and she graduated in 1947.

Jean Williams; Jean is the Director of the New Opportunities for the Aging in the Hill and a trailblazer because she also had been one of the first Black nurses to be involved in the State Board of Nursing in the State of Pennsylvania.

There are many other names but these I felt should be acknowledged.

The Chair:

Thank you all very much.

Mr. Cohen presented

No. 149 Resolution providing for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1992 CDBG Program; providing for the execution of grant contracts and for the filing of other data providing for required assurances; providing for execution of payment vouchers on Letter of Credit and for certification of authorized signature; the deposit of the funds in a bank account and providing for the payment of expenses within categories.

Also,

No. 150 Resolution providing for the designation as a Historic Structure under Section 513 of Chapter 1007 of the Code of Ordinances that certain structure known as the Giovannitti House, more particularly located at 118 Woodland Road (Block and Lot Number 85-R-214) in the 14th Ward, City of Pittsburgh.

Which were read and referred to the Committee on Planning, Housing and Development.

Mr. Darkins presented

No. 151 Resolution granting unto the Ms. Wright-Blessed Dawn Watch Personal Care Home, at 2145 Perrysville Avenue, Pittsburgh, PA 15214, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a fence on a portion in the right of way of Burgess Street and Maywood Street in the 26th Ward, Council District #1 of the City of Pittsburgh.

Also,

No. 152 Resolution granting unto the Carnegie Library for the Blind and Physically Handicapped at 4724 Baum Boulevard, their

successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, three (3) bollards with connecting metal handrail on a portion of the sidewalk on Baum Boulevard in the 4th Ward, Council District #3 of the City of Pittsburgh.

Also,

No. 153 Resolution granting unto the Italian Oven and Groceria, 1700-1706 Penn Avenue, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a canopy on a portion of the sidewalk on 1700-1706 Penn Avenue in the 2nd Ward, Council District #6 of the City of Pittsburgh.

Also,

No. 154 Resolution vacating South Craig Street in the 4th Ward, Council District #8 of the City of Pittsburgh.

Also,

No. 155 Resolution vacating a portion of McNary Way between Arch Street and Butterfield Way, in the 22nd Ward, Council District #6 of the City of Pittsburgh.

Also,

No. 156 Resolution vacating Mozart Street between Ashlyn Street and Swift Way, in the 20th Ward, Council District #2 of the City of Pittsburgh.

Which were severally read and referred to the Committee on Public Works.

Michelle Madoff presented

No. 157 Resolution providing for a warrant in favor of Public Strategies, Inc., One

Bigelow Square, Suite 616, Pittsburgh, PA 15219, in the amount of \$2,990.00 in payment for professional consulting services rendered to Councilwoman Michelle Madoff for the month of January, 1992, chargeable to and payable from Code Account 1001-2, Salaries, Wages and Services of Council, As Needed, City Council, District No. 2. **—(SPONSORED BY MICHELLE MADOFF)**

Also,

No. 158 Resolution providing for the issuance of a warrant in favor of National Road Utility Supply, Inc., P.O. Box 188, West Alexander, PA 15376, in the amount of \$2,040.00 in payment for emergency purchase of two steel reducing repair couplings, chargeable to and payable from Code Account No. 1986, Materials, Distribution Division, Department of Water.

Which were read and referred to the Committee on Finance.

Mr. Milliones presented

No. 159 Resolution providing for the issuance of a warrant to Milan Brnilovich in the amount of \$100,000.00 in full settlement of claim for personal injuries, arising from a motor vehicle collision involving a City Fire vehicle at 26th & Carson Streets in the City of Pittsburgh on July 7, 1988, payable from Code Account No. 46, Judgments.

Also,

No. 160 Resolution providing for the issuance of a warrant to Thomas Wasielewski and Esther Wasielewski, in the amount of \$20,000.00 in full settlement of claim for personal injuries, arising from a fall down on Pascoe Way in the City of Pittsburgh on November 7, 1988, payable from Code Account

No. 46, Judgments.

Also,

No. 161 Resolution providing for the issuance of a warrant to plaintiff, c/o Swensen, Perer & Johnson, Esquire, in the amount of \$137,500.00 in full settlement of claim for personal injury, arising from a sexual assault at her home as a result of alleged inadequate police protection on February 2, 1988 at Thomas Boulevard in the City of Pittsburgh, causing injuries to the Plaintiff, Doris M. Reed, payable from Code Account No. 46, Judgments.

Also,

No. 162 Resolution providing for the issuance of a warrant in the sum of \$17,000.00 to Doris Goldston a/k/a Doris Johnson c/o David C. Martin, Jr., Esq., her Attorney, 2006 Noble Street, Pgh., PA 15218 in full and final settlement of an alleged accident involving a City truck on S. Highland Avenue and Stevenson Place in the East Liberty section of the City of Pittsburgh on or about October 25, 1988, payable from Code Account No. 46, Judgments.

Also,

No. 163 Resolution providing for the issuance of a warrant to Edward Judson Boykin and Marie Boykin, in the amount of \$12,000.00 in full settlement of claim for property damage, arising from run-off water that was created by reason of the road grade being higher than the sidewalk in front of the Plaintiff's premises along with a storm sewer that was closed by asphalt paving that caused water to run down their backyard on Jackson Street in the City of Pittsburgh since February 5, 1986, payable from Code Account No. 46, Judgments.

Also,

No. 164 Resolution providing for the issuance of a \$1,584.54 warrant in favor of Pittsburgh Plate Glass, Inc. in settlement of claim for property damage incurred when a City refuse truck struck a parked vehicle on Beltzhoover Avenue, payable from Code Account No. 46, Judgments.

Also,

No. 165 Resolution providing for the issuance of a \$2,993.69 warrant in favor of Mark Connolly for payment of vehicle damage when struck by a City Police motorcycle on December 6, 1991, payable from Code Account No. 46, Judgments.

Also,

No. 166 Resolution providing for the issuance of a \$895.50 warrant in favor of Linda Barbenel, Executrix of Estate of Ben Paul Simon in settlement of claim for sidewalk damage at 2239 Shady Avenue, payable from Code Account No. 46, Judgments.

Also,

No. 167 Resolution authorizing the Mayor and the City Solicitor to enter into an agreement or agreements for the hiring of counsel to assist in the representation of the City of Pittsburgh for outside legal counsel at a cost not to exceed \$75,000.00, chargeable to and payable from Code Account 1075, Misc. Services, Department of Law.

Which were severally read and referred to the Committee on Finance.

Mr. O'Connor presented

No. 168 Resolution transferring the amount of \$409,096.00 from Code Account 1843, Department on Aging to Code Account

SCPTF, Senior Citizens Program Trust Fund in the Department of Parks and Recreation. This transfer is necessary to pay salaries and leases in connection with the Senior Citizen's Program.

Which was read and referred to the Committee on Finance.

Mr. Onorato presented

No. 169 Resolution providing for a contract or contracts from time to time in connection with demolition and removal of condemned buildings at a cost not to exceed \$900,000.00, chargeable to and payable from Code Account Capital Project Funds, 3-27-10-0005-92, Demolition and/or Sealing of Condemned Buildings, Including Site Restoration and Boarding and Party Walls.

Which was read and referred to the Committee on Public Safety.

Mr. Ricciardi presented

No. 170 Resolution providing for the issuance of a warrant in favor of Public Strategies, Inc., One Bigelow Square, Suite 616, Pittsburgh, PA 15219, in the amount of \$1,600.00 in payment for professional consulting services rendered to Councilman Eugene Ricciardi for the month of February, 1992, chargeable to and payable from Code Account 1001-2, Salaries, Wages and Services of Council, As Needed, City Council, District No. 3.
---(SPONSORED BY MR. RICCIARDI)

Which was read and referred to the Committee on Finance.

The Chair presented

No. 171 An Ordinance supplementing the Pittsburgh Code, Title Seven, Business Licensing, Article VII, Service businesses, by

adding Chapter 767, "Tow Trucks".

---(SPONSORED BY MR. WAGNER)

Which was read and referred to the Committee on Public Safety.

Also,

No. 172 Communication from Mary K. Conturo, City Solicitor, submitting the Quarterly Report of the settlement of small Claims not exceeding \$750.00 for the Fourth Quarter of 1991, payable from Code Account 1081, Petty Claims. Also, a Quarterly Report of the settlement of Claims in excess of \$750.00 for the Fourth Quarter of 1991, payable from Code Account No. 46, Judgments.

Also,

No. 173 Communication from Michael Perry, City Clerk, submitting the Fourth Quarterly Travel Report for 1991 from various departments.

Also,

No. 174 Communication from Tom Flaherty, City Controller, submitting the Performance Audit of the City of Pittsburgh Job Training Partnership Act (JTPA) dated October 1991.

Which were severally read, received and filed.

UNFINISHED BUSINESS

Michelle Madoff:

Mr. President, as we had read into the Record information on claims under \$700, we don't get totals of them but more important, for I think this is about the 500th time, we do not have updates on the claims over \$700 that do not come

to this Council. They go right to the Controller's Office for payment and we only get them when something comes by us in some letter form but there's no calculation of the amount of dollars.

We talk about a very tight economic time and a very tight budget. Somebody, somewhere, somehow, and it would be nice if the Controller perhaps would supply us with the total claims, a list of the claims, over \$700 so this Council knows what is paid that bypasses us in its entirety.

I have asked for this and I've asked for it and I've asked for it and I've asked for it. Can somebody think this important? Don't you think that the kind of claims, and we have had claims that amount to hundreds of thousands of dollars in shootings or accidents in the City or claims that we've paid off over three years, that we should know what the debt to the taxpayer is, since we're self-insured, on the major claims which are over \$100?

And if I were to ask any member of this Council, could any member tell me the total amount of our claims for last year that were under \$700? Does anybody know? Do you know what they are over \$700?

The Chair:

Excuse me, Councilwoman Madoff.

Mr. Perry, please request from the Law Department a listing of all claims for 1991 to provide all Members of Council within the next two weeks.

Michelle Madoff:

I wouldn't mind it for three years. For the last three years, please.

The Chair:

Three years.

REPORTS OF COMMITTEES

Mr. Milliones presented

Bill No. 175

Report of the Committee on Finance for January 29, 1992 transmitting two ordinances and sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 76

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Equibank in the amount not to exceed \$10,000.00 in payment for a one million dollar letter of credit for the City of Pittsburgh's Workers Compensation Program, chargeable to and payable from Code Account 44 (004408) Workers Compensation, Department of Finance."

Which was read.

Also,

Bill No. 77

A Resolution entitled, "Resolution authorizing the issuance of warrants to various insurance companies in the aggregate amount not to exceed \$40,000.00 in payment for excess liability insurance and a self-insurance surety bond for the Workers Compensation Program, chargeable to and payable from Code Account 44 (004408) Workers Compensation, Department of Finance."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 9

NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 78

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Two, Fiscal, Article I, Administration, Chapter 211 Tax Collection suits, Section 211.02, Time Limitation to Commence Suits; Exceptions, by eliminating certain inconsistencies in time limitations."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass

finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 79

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Two, Fiscal Article I, Administration, Chapter 211. Tax Collection Suits, Section 211.03 Limitation on Assessment, by further eliminating certain inconsistencies in time limitations."

Which was read.

Mr. Milliones:

Mr. President, may I offer a motion to recommit Bill No. 79 at the Finance Director's request, to be heard tomorrow?

Michelle Madoff seconded the motion.

WHICH MOTION PREVAILED.

Also,

Bill No. 80

A Resolution entitled, "Resolution providing for an Agreement or Agreements with an accounting firm to provide professional auditing services as required by the Pennsylvania Department of Labor and Industry in connection with the Job Training Partnership Act (JTPA) Program and providing for the payment of costs thereof."

Which was read.

Michelle Madoff:

Mr. President and Members of Council, on Bill 80, would everyone please take a quick look. "A Resolution providing for an agreement or agreements with an accounting firm to provide professional auditing services required by the Pennsylvania Department of Labor and Industry in connection with the JTPA Program."

In light of the fact that there has been an audit done by the Controller's Office, a very important audit, maybe not as important as the major monies that are spent for Public Safety that has never been done, but it has been refuted by the Administration.

Wouldn't it be appropriate to have the accounting firm which does a fiscal audit supply some people to look at the numbers that are provided both by the Administration and what has been assumed or put together by the Controller and let this body know what's right. What are the facts?

At the end of the meeting I was going to ask that we have a post agenda and discuss the issue but what happens is that the Administration comes and says no and, frankly, I personally believe the Administration is right on this issue because for years and years I was after Melanie Smith to get some really meaningful training. But the Controller does the audit and says, "They're

doing a terrible job." The City says we're doing a great job.

We're paying a substantive of \$30,000 to do an audit and it's a fiscal audit. I'd like to include some review of the numbers of people that have actually achieved their degrees, have stayed on the job. Let's find out what the realities are.

I didn't put that in writing because I just noticed it now. Perhaps it might be appropriate to hold this bill a week so I can amend that.

The Chair:

Councilwoman Madoff, this is a requirement by the Federal Government for us to receive funding under JTPA, the piece of legislation.

The Controller's audit really is simply a Controller's function.

Michelle Madoff:

I understand that. I understand it perfectly. I think we all understand that.

The Chair:

So, I would not want us to hold back this bill because we have questions about the Controller's audit.

Michelle Madoff:

I don't want to hold the bill back. That's not my intention. It would be irresponsible. I'm just saying that while we're doing this audit, it wouldn't take very much to include the numbers of people that have graduated and are having jobs as opposed to the numbers that haven't so that we would include that in this audit and that there wouldn't be these broad statements about a

terrible job the JTPA Program is going, which I don't believe to be true. But, if it's true, I'd like to know. Wouldn't we all like to know? Is there anybody here that can make a definitive statement on who is right on this?

I would ask that we hold it a week and see if we can include that particular aspect into the audit and it's just a matter of other numbers.

Mr. Ferlo:

Mr. President, I don't think we should hold this bill because, as you stated, it's a very specific bill. I think we're mixing apples and oranges here.

The authorization today is a fiscal requirement for us to continue to receive JTPA funding. It's a limited financial audit. Mr. Flaherty's audit, although I have not read it, I only know what I heard on the radio and in the newspaper yesterday, is more of a performance audit of JTPA. I think they focused in on the SPOC Program, the Single Point of Contact Program, as part of JTPA.

I think there are issues relative to Mr. Flaherty's audit that we should explore further, and they include the questions that Michelle has raised. I would hope that maybe we consider a public hearing, as the Controller has requested. We have committed millions of dollars, at least in the four years that I have been here. If there are major discrepancies or concerns raised by the performance audit, I think we should know about that. There's never been any objective review of the JTPA Program and I'd like to know, as Michelle said, what is the truth and what are the accurate statistics. But in terms of this one bill before us today, it's a very limited financial audit relative to us to continue receiving the funds.

Mr. O'Connor:

Last week I had a meeting with Melanie Smith concerning the point you just brought up, Michelle, and she's furnishing me with these results. They have those. It has been a pretty successful program and I want to look into trying to make it better. She has those figures, so they should be available to us.

Michelle Madoff:

Having gone through this for 13 years, one department says we're wonderful and the other one says we're terrible, for whatever motivations there may be.

I think that we would not change the dollar figure. I don't think we have to have a separate audit, which could cost this Council and the taxpayers a lot of money. I'm merely suggesting that we amend this audit very slightly to include looking at the numbers supplied by Melanie Smith and the program to see if, indeed, we get some facts. As you all know, if you have been here any length of time or if you have watched Council, we're going to have a post agenda and somebody is going to say, "My numbers are right." The Controller is going to say, "No, my numbers are right."

Couldn't we get some professional input? Isn't it time that we ran the way business does? If businesses ran the way Council does, or the City does, for two weeks they'd be out of business.

Here is an opportunity not to spend any more money to just have them take a look at these numbers while they're doing this limited audit that we're requested to do. And if there's anything that this government wants other than the \$30,000 out of this audit is whether the program is effective. That's what they want to know. Well, let's tell them that it is or it isn't. That's the purpose of the audit, so let's not sweep it under the

rug and let's not say, "This has nothing to do with anything; it's just a pro forma. \$100 came in, we spent \$100, we got a receipt." The issue is, is it a program that's productive. And it isn't going to cost us any more money to find out.

So, I'm suggesting that we hold it one week. It isn't going to make any difference. I move to hold this for one week and I ask that somebody second that and give me the courtesy of holding it for one week.

Mr. Ricciardi seconded the motion.

The Chair:

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the motion passed finally.

Also,

Bill No. 82

A Resolution entitled, "Resolution providing for a professional services agreement or agreements

or to use existing agreements for the provision of support services to City Information Systems and for the provision of designing/programming new or revising existing miscellaneous data processing and/or automated information systems/applications for the Department of Finance as well as other City Departments, at a cost not to exceed One Hundred Thirty-Six Thousand Dollars (\$136,000.00) for the Bureau of Information Systems, Department of Mayor, Code Account No. 1043, Index Code 104307, Miscellaneous Services and for the payment of the costs thereof."

Which was read.

Also,

Bill No. 83

A Resolution entitled, "Resolution providing for a professional services agreement or agreements for the provision of training City employees in the use of personal computers and personal computer software packages at a cost not to exceed Thirty Thousand Dollars (\$30,000.00), payable from Code Account 1043, Index Code 104307, Miscellaneous Services and for the payment of the costs thereof."

Which was read.

Also,

Bill No. 84

A Resolution entitled, "Resolution providing for a contract or contracts, or the use of existing contracts, for the furnishing and delivery of Braille computer products at a cost not to exceed Thirty-Four Thousand Six Hundred Dollars (\$34,600.00) for the Bureau of Information Systems, Department of the Mayor, payable from Code Account 1045, Index Code 104505, Equipment, and for payment of the costs

thereof."

Which was read.

Also,

Bill No. 85

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain properties in various Wards of the City of Pittsburgh, acquired at tax sales in accordance with Act No. 171 of 1984."

Which was read.

Also,

Bill No. 86

A Resolution entitled, "Resolution providing for conveyance by the City of Pittsburgh of certain property, under Act No. 171 of 1984, entitled, 'Second Class City Treasurer Sale and Collection Act', effective December 11, 1984."

Which was read.

Also,

Bill No. 88

A Resolution entitled, "Resolution authorizing the transfer of the aggregate amount of \$5,050.00 from Code Account 1800, Index Code 180000 Salaries, Regular Employees to Code Account 1818, Maintenance, Wages, Regular & Temporary Employees, Index Code 181800 and to Code Account 1828, Salaries & Wages Regular Employees, Point State Park Division, Index Code 182808, all in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 126

A Resolution entitled, "Resolution amending and supplementing Resolution No. 1294 of 1991, effective January 1, 1992 entitled: 'Making appropriations to pay the expenses of conducting the Public Business of the City of Pittsburgh and for meeting the debt charges thereof for the fiscal year, beginning January 1, 1992,' by making certain additions and corrections."

---(SPONSORED BY MR. FERLO)

Which was read.

Also,

Bill No. 129

A Resolution entitled, "Resolution amending and supplementing Resolution No. 1294 of 1991, effective January 1, 1992 entitled: 'Making appropriations to pay the expenses of conducting the Public Business of the City of Pittsburgh and for meeting the debt charges thereof for the fiscal year, beginning January 1, 1992,' by making certain additions and corrections."

---(SPONSORED BY MR. MILLIONES)

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen

Mr. O'Connor

Mr. Darkins

Mr. Ferlo

Michelle Madoff

Mr. Milliones

Mr. Onorato

Mr. Ricciardi

Mr. Wagner

(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also, with a **NEGATIVE** recommendation,

Bill No. 131

A Resolution entitled, "Resolution amending and supplementing Resolution No. 1294 of 1991, effective January 1, 1992 entitled: 'Making appropriations to pay the expenses of conducting the Public Business of the City of Pittsburgh and for meeting the debt charges thereof for the fiscal year, beginning January 1, 1992,' by making certain additions and corrections."

---(SPONSORED BY MR. RICCIARDI)

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Ricciardi

AYES 1

NOES 7

(MR. DARKINS ABSTAINING)

VOTING NO:

Mr. Cohen	Mr. O'Connor
Mr. Ferlo	Mr. Onorato
Michelle Madoff	Mr. Wagner
Mr. Milliones	(Pres't)

And a majority of the votes of Council not being in the affirmative, the bill was defeated.

Also, with a **NEGATIVE** recommendation,

Bill No. 132

A Resolution entitled, "Resolution amending and supplementing Resolution No. 1295 of 1991, effective January 1, 1992 entitled: 'Resolution fixing the number of officers and employees of the City of Pittsburgh, and the rate of compensation thereof, and setting minimum levels for designated positions,' by making certain additions and corrections."

---(SPONSORED BY MR. RICCIARDI)

Which was read.

Mr. Ricciardi:

I would just like to thank my colleagues who had an opportunity to seriously review my budget reductions.

To others in and outside of this body, however, who say that I hastily put together the reductions, I would like to just say that I personally did not author the City Charter. The City Charter gives us five weeks to re-open the budget, basically giving us a window into the budget.

In '91 I believe we had an honest budget but, by the comments I hear from the Administration, I see now that we do not really have a balanced budget for '92. We basically

have given up our right and authority after today for other budget reductions. I just hope that the Administration and the layoffs that they're coming with, and there will be layoffs, that those layoffs are fair, equitable, and in no way harm central services such as neighborhood protection, picking up the garbage, and maintaining our streets.

I would just like to dispute one claim by the Administration and that is that 22 percent, then it jumped up to 25 percent, of the layoffs were management. I wasn't talking about one step above a laborer, but I was talking about upper middle-management. These people obviously work, and I'm sure they work very hard. But in tough times, tough choices, I would rather go with the \$19,000 laborer, truck driver, recreation leader in the neighborhood that is providing direct City services.

Again, I'd like to thank my colleagues, and thank you, Mr. President.

Mr. Ferlo:

Mr. President, while I didn't support the resolutions offered by Mr. Ricciardi for the reasons I stated last week, and I would like my comments brought forward, I do agree with him at least on two matters. One is that his right to re-open for purposes of debate and dialogue within that five week timeframe is right to raise timely issues. And I think in the context of the argument that Mr. Ricciardi raised, I want to support his right to have raised it, his argument being that from the time that we approved the final budget that there were additional pronouncements from the Administration regarding possible layoffs. And within that context I do support his right. In fact, I think it was very timely and legitimate for him to have raised further debate around the budget.

Secondly, while I didn't support the

actual resolutions because I still have major reservations about people that have been laid off this past year by the Administration independent of the budget debate, I'm not convinced that the wisdom was there regarding the people that they did in fact lay off. In fact, my understanding by way of example in the garbage mess situation that has been created, that they're now scrapping that plan, going back to the old routes, and hiring people back.

I think in any given area this past year I have some major reservations about who, in fact, were laid off in various departments.

Secondly, I do agree very much with the principle that Mr. Ricciardi articulated this past week in his argument for his legislation, and that is, should indeed additional cuts be made this year by the Administration, that they not be made at the level of the people who are direct hands-on providing direct services, be it Police, Fire, garbage pick up, Public Works, Parks and Recreation, you name it, but that indeed they look at the top levels of management if further cuts are needed.

I would only add to that that I continue to believe wholeheartedly that the Public Safety Department is a big bureaucracy that has not provided anything relative to better Police, Fire, EMS services. And I think if there are additional cutbacks I would ask the Administration to look at eliminating that bureaucracy and return to the bureaus that we had in the past.

Michelle Madoff:

I'd like my comments brought forward and I'd like to add that while I believe that my colleague, Mr. Ricciardi, gave a very impassioned, from the heart, statement, I think that his points were very valid and very well-taken.

I disagree with Mr. Ferlo. I don't think it was timely.

This Council voted at budget time last year to eliminate some jobs in the Controller's Office because they were a redundancy of middle management. I think, in essence, that is what I believe my colleague, Mr. Ricciardi, is saying. Let's not get rid of the hands-on people; let's get rid of the redundancy of middle management, not only in the Controller's Office but elsewhere, if that is indeed the case.

But when we're presented, and I say it wasn't timely, with a vote at the last second, how can you know whether, indeed, this is the right middle management position that is a redundancy?

All I'm suggesting is that you get A for effort. By next year I would hope that you would undertake, as our office did, some evaluations, some research and some studies, and come back not at the last minute. Don't do what the Administration says, "You have 20 minutes to vote" on whether we're going to keep the Pirates or whether we're going to have a steam heat plant, but come back at the end of November and present your case and I think you will have a sympathetic ear.

Mr. Onorato:

Mr. President, last week I voted against the bill, and I will vote against the bill today, because I'm not sure that we have to lay off any further employees. For that reason, I don't want to vote for a bill that will automatically lay off approximately 18 people.

However, I do agree with Councilman Ricciardi. If, in the future, we need lay-offs, the lay-offs should not come from our labor force. I still believe that our labor force is about as low as it can go to provide the services that the City has

to provide to our residents.

So, I'd just like to go on the Record stating that, hopefully, there are no more lay-offs, and this bill would require lay-offs and that's why I'm voting no. But in the future, any other lay-offs, the laborers should be the last ones considered to be laid off.

The Chair:

I'd like my comments brought forward for the Record.

Mr. Cohen:

I'd like my comments brought forward too, and I'd just like to say this. That is that I am in total agreement with the concept, the concept that we should not fire laborers, that we should, rather, if we have to, lay off paper pushers as opposed to those who bring direct services.

But there's a big difference between concept and reality here, and the reality is that I do not believe that the proper analysis was done for us to take the action of laying off 18 workers. And the reality is that we do not know what our revenue situation is to determine whether or not we need to lay off these workers.

I think we need a lot more analysis and a lot more discussion before deciding to fire 18 people, and for that reason I can't support this.

Mr. Milliones:

Mr. President, I was not going to comment on this matter because it doesn't contribute to where we need to be headed in Council. But it's difficult to sit here and hear Ms. Madoff give Mr. Ricciardi an A for effort. I give Mr. Ricciardi an A for awful relative to his proposals because, as we analyzed and looked at this, we realize that there is no mention of anyone

from Mr. Ricciardi's district in relation to these lay-offs.

Mr. Ricciardi:

Just to respond to that, in looking at the position cuts in doing the upper management scene, who was above, who was below, no names were ever spoken about, no names were ever talked about. Obviously, if we didn't know the names, we did not know which district they were from.

I would like to answer that. There's two things that could have happened. Obviously, there could have been someone from my district and I would have pulled them, and that did not happen, or that my district is under-represented in upper-management positions in the City of Pittsburgh.

And I would ask Mr. Milliones, who is the Finance Chairman, that if he would properly research this it will show that most of our Directors and Deputy Directors do not live south and southwest of the rivers. Thank you.

Mr. Milliones:

I would further add that the issue of race came up in this debate and I think it should be stated for the record that ■ a matter of fact, a matter of reality, if those cuts were made, mid-level African American management would have absolutely been decimated. And I also find that not a coincidence.

Mr. Ricciardi:

Again, Mr. Wagner, race, gender and geographic location was not taken into effect.

The Chair:

What is happening with this issue is

precisely what I feared and were part of my
comments last Wednesday.

(REMARKS ON FOLLOWING PAGES)

(BEGINNING - MESSRS. FERLO, COHEN AND WAGNER AND MICHELLE
MADOFF'S COMMENTS ON BILL NOS. 131 AND 132, WEDNESDAY, JANUARY
29, 1992)

Mr. Ferlo:

I sympathize with many of the comments expressed by Mr. Ricciardi and I think his motivation in the proposals that he has spent a lot of time drafting are well-intentioned but unfortunately I feel that during the months of the latter part of the November and December he was waylaid into the Twilight Zone. We've spent a lengthy time debating the merits of the budget and as far as I'm concerned, as an elected Councilmember I'm not going to bear the burden of what I consider is mismanagement on the part of this Mayor and this Administration. And I'm not going to convey in any sense to the public the false or wrong impression. We, Jim Ferlo and members of Council, we don't hire and fire, we don't initiate the layoffs good, bad or indifferent. The layoffs that have taken place last year partly the Administration is a victim of their own rhetoric in the last few weeks, they've postured themselves publicly in relation to collectively bargaining negotiations with the police and fire, making grand pronouncements about additional cuts. I voted in good conscience of what I felt was a balanced budget based on the available resources that we anticipate we will receive this year. If that's not the case then I think it's the obligation of the Administration to come back to Council for discussion whether we have the five-week time frame or not. That's something that takes two to tango and it was the Administration's responsibility to come back to this Council. And we don't manage government. We can do our best to provide the resources, we can debate at length the merits of how various city departments are organized and on a weekly basis and if you look at the record I probably have voted no on more times than any of the other Councilmembers on actual appropriations which I feel have been wasteful. We have one up today for one-half million dollars on gasoline credit cards once again. But I vote in good conscience on a balanced budget and I don't want to convey to the public a wrong impression that we actually manage the government. We have a fiduciary trust with the Mayor. The voters elected this Mayor and this Administration to perform the services and in the end as far as I'm concerned, we're talking about politics here and I'll close Mr. Chairman. We're talking about politics. I feel in a year and one-half if the public feels that this Administration has done a good job picking up the garbage they will re-elect the Mayor and the Administration, I don't think that's going to be case. If they think the water rate increases have been justified to put money back into the city operating budget which is nothing more than a back door tax increase, then this Administration will be re-elected, I don't think that is going to be the case. If the public is satisfied with the bureaucracy and the mess that this Administration's created with the Fire Bureau reorganization, then they'll vote

this Administration back in, I don't think that is going to be the case. If the public is happy with the lack of police visibility then that is what it's going to be.

The point I'm trying to express here is the Administration has the right to be wrong. A court ruled several years ago that City Council has a right to be ridiculous -- this was even before I got elected to Council -- on legislation that we pass, the same holds true for the Administration. The Administration has the right to either manage well or poorly manage and now they are going to sink or swim and the voters ultimately will decide that. I voted for a balanced budget.

The Chair:

Thank you, Mr. Ferlo.

Michelle Madoff:

On the bill may I ask -- I don't see Mr. Turner here so I'm going to ask Mr. Hayllar if he would please come to the table.

I'd like to state for the record that Mr. Terry Woodcock never came to see me.

The thing I'm most interested in here are two factors that I must say that in the years I've been here have never really surfaced and that is this five-week opening of the budget No. 1, and the issue -- as has been stated here by my colleague and I have no reason to doubt his sincerity and honesty, do we or do we not have a balanced budget and do we have the ability and five weeks to say we really didn't have to vote by midnight on the 31st and I remember being here on the eve of midnight during many years and having to vote and I'm quite confused about that and I think the public is confused about it and we need to clarify it before I can even address the issue and then I'd like to address the issue.

Dir. Hayllar:

Yes, Council has produced a balanced budget and on the 29th of January it is too soon to tell what will have to be done during the course of the year to keep us within financial health. We don't know a lot of things. We don't know what the Police and Fire arbitration is going to be, we don't know what revenues such as the Pirates lease which is going to cost us \$1 million a year that we're going to have to pay the Authority because the Pirates are not paying it. We don't know what the long-term effect of that's going to be. It's much too soon to start making additional cuts. We never made the statement that there was 120 or a specific number of cuts that had to be made. There is no question that we are prepared as we have been prepared in 1991 to lay people off because that is the primary

way we can save money if we have to. It's not the time to do it yet. We also do not feel that eliminating positions from the budget is the way to do it because you want the reserve to bring these people back if you have the money.

We will do everything we can to keep the cost of government down but if the revenues do not come in as we hoped, we will have to make cuts. If we have unanticipated big costs during the course of the year, we'll have to find ways to cut the budget.

I think one thing Mr. Ferlo would agree on is that this Mayor has demonstrated that she will do the hard things to keep the budget in line to make the cuts and we're going to do that in 1992. We don't believe that this is the time or the way to do it. We also would point out that the positions that Mr. Ricciardi have presented haven't been analyzed. The effect on the government from this selection of positions is unknown at this time and I think that needs to be done.

One other point I would make. In the 120 cuts that were made in 1991, 30 of them were in mid and upper management positions. Assistant Directors were laid off. That's 30 positions and that's approximately 25 percent of all people that were laid off.

Michelle Madoff:

Is that in the Controller's Office as well?

Dir. Hayllar:

No, they haven't been laid off yet.

Michelle Madoff:

How do you get the balanced budget?

Dir. Hayllar:

That's one of the things that's costing us money that we hadn't anticipated. Government is like a pyramid. There is one mayor and there are nine members of council and the pyramid goes down. When you try to lay people off and make cuts proportionately, you will find that you will have more people at the bottom than you will at the top but proportionate to the numbers in those ranks, I think we have been very fair.

Michelle Madoff:

Would you please for the record and particularly for those who may not know and for the listening audience, we have at present a surplus of what kind of dollars?

Dir. Hayllar:

It's an interesting question. The budget indicates a carry over from 1991 of \$11.3 million.

Michelle Madoff:

That is for Moody's and Standard and Poor's to meet our ratings, right?

Dir. Hayllar:

It's also to pay for a \$5.5 million payroll which is the first payroll in January and encumbrances that were made in 1991 and paid out of 1992. No, we do not have an \$11.3 million number. Until we get the Controller's numbers officially we really won't have an official number, but it's considerably less than that. We're starting the year with less money than we anticipated.

Michelle Madoff:

That is less than we've started before.

Dir. Hayllar:

That's correct. Last year it was \$27 million.

Michelle Madoff:

Let's get to the next item. The reason we have surpluses at the end of the year is for those who may not know, we can never, never, never fill five percent of the jobs in the City and the reason for that is everybody has an option to bid on the jobs and there's a process in hiring and that takes time because we always end up at the end of the year with five percent of the jobs not filled and that's fact, is it not?

Dir. Hayllar:

That is part of the reason you have the surplus, it's part of the cause. The reason you have a surplus at the end is to make your first payroll in January.

Michelle Madoff:

We are not arguing. I also said that we need for our Moody's and Standard and Poor's to keep our rating up. How we get it is not the issue. I'm just saying that one of the ways we get it is the five percent hiring, that's how we have a surplus. This is not an attack, I'm just making a statement.

Now, I have been reading and I get a lot of my information from the Press and the Post-Gazette, that we don't have a good communication system with the Administration which I've been pleading for years which would save a lot of this in-house fighting. We are not going to be able because of the ruling of the Court to go out and put on a new police class until next year.

Dir. Hayllar:

That is a question that has to be addressed to both the Solicitor and the Director of Public Safety.

Michelle Madoff:

I have been here 13 years and historically we lose 40 to 50 police officers a year because of an aging police force No. 1 and No. 2, because of the aging police force and because of some other things that are at work, we're probably going to lose, I'm going to guess that we're going to lose 70 to 90 this year. That means that we have the money in the budget and kind of lack of personnel and if we care to pursue it the Director is here but I bet I'm on the button. Now that means again where our surplus is coming from to meet next year's early commitment so that we have what other monies are available to be able to be used.

Now I find myself in an awkward situation. I find myself in the situation of having, based on fact and fact alone which will be proven in the courts, looking at the other cities having recommended that we eliminated mid-level unimportant jobs in one office and that was the Controller's Office, and now my colleague says why don't we do likewise in other departments, that's basically what he's saying, and since I said let's get rid of mid-level jobs elsewhere, I feel somewhat of an obligation to look at this closely. I have two questions for you. If we don't vote today the budget is closed, is it not?

Dir. Hayllar:

That requires a legal question. Whether the introduction of the legislation is sufficient or the passage is sufficient, I can't answer that.

Michelle Madoff:

Would you question Mr. Perry, he said today's the day?

Mr. Perry:

Today's the day.

Michelle Madoff:

Now, I think it's unfortunate that my colleague has come up with valid concerns that basically I support his premise but I also must support Mr. Perlo's statement. Council doesn't hire and fire. We appropriate the dollar. We have no say on who is hired. That's why I keep asking questions like where did you get the consultant? Is it the lowest responsible bidder? How did you get the contractor? We don't hire. I agree with him that I don't want to give the wrong impression because the message that went out from the impassioned presentation by Mr. Ricciardi was one of a lot of people listening would say, "Why don't you do it, what's wrong with you Council?" And I'm saying let's deal with the real world. It would have been nice had Mr. Ricciardi come back with this earlier, given us some time to actually look at who and what he is suggesting that we cut but since today is the last day for introduction.

Mr. Ricciardi:

It's a preliminary vote --

Michelle Madoff:

-- there's not enough time between now and Tuesday to go back and to really see whether we should -- I can't tell between that little bit of time. We have Thursday, Friday and Monday, three days to see whether we should make these cuts and based on that and that alone I'm going to have to not vote with you, Mr. Ricciardi.

Mr. Cohen:

Thank you, Mr. Chairman. Let me begin by saying that confronted with the choice of cutting office personnel versus personnel who are directly providing city services on the streets, I would choose the office personnel, okay, but that's not the issue in front of us today. The issue in front of us is whether or not to lay off many people that have been proposed by Councilman Ricciardi at 29 days after we passed the budget. I voted against waiving Rule 8 yesterday and I did so because it simply does not give us enough time to closely analyze these positions and what is happening here, the Councilman didn't even mention the 99 employees who are proposed to be moved from Parks to Public Works but I do think we have an obligation here and now since this is our only opportunity to look closely at these positions and find out why they are being proposed to be cut and what I'd like to do is ask Councilman Ricciardi who has proposed this, first of all, how many people exactly are you proposing to lay off here?

Mr. Ricciardi:

I think we should start from the beginning if we will.

Mr. Cohen:

I want to know what the number is.

Mr. Ricciardi:

First of all I have to explain about the vacancy allowances because I don't know what those numbers will be.

Mr. Cohen:

Councilman, if I may. You certainly have the opportunity to speak to this but I'm trying to find the information that I need to know in order to vote on this.

Mr. Ricciardi:

Without the vacancy allowances, I would say 18. I would have to recount them because there was a foreman job, that could have been a typo but it should be 18. Curt, can you go through the amendments for me without the vacancy allowances and without the transfers.

Mr. Cohen:

I certainly think we have a right to know.

Mr. Ricciardi:

It's 99 laborers, 14 foremen and the Director of Maintenance in Parks and Recreation will be transferred over to Public Works. They then will fall under the supervisors in Public Works, thus we could eliminate the five upper management supervisors and Parks and Recreation would move the laborers.

Mr. Cohen:

If I may because I have the floor here. I do want to hear about that but I think the first priority in terms of determining my vote is the proposed layoffs. That is the important thing for me here.

(AT THIS POINT, I WAS TEMPORARILY RELIEVED BY HELEN L. KRIEBEL)

(CONTINUED ON NEXT PAGE WITH NO LOSS OF CONTEXT)

MARY ANNE HRUSKA
STENOGRAPHIC REPORTER

Mr. Cohen:

We are not talking about code accounts here, we are not talking about position titles, we are talking about people and jobs and people whose lives will drastically be changed based on our decision here. So there are 18 people who are proposed to be laid off.

Did you do an organizational analysis or what is called a staff-load analysis in order to determine that these positions are not necessary? What analysis did you do?

Mr. Ricciardi:

I heard the question. May I say that the first response to your opening to the question, that you are correct, these are not positions, these are people and it is very difficult to lay off individuals, because we are dealing with their livelihood. But let me state to you, Mr. Cohen, that we have done it in the past and you've directly voted to eliminate positions and to lay people off in the city of Pittsburgh. Let's make that perfectly clear.

Mr. Cohen:

The question is, if I may, Councilman, we went through two months of budget hearings, and absolutely those were painful decisions, those were painful. Now we are talking about 18 positions in one day.

Mr. Ricciardi:

Let me answer the question.

Mr. Cohen:

Was there an analysis done?

Mr. Ricciardi:

Let me answer the question. Thank you. Again, because of my whole theory of who should take the cuts and who should provide services, you see, there is a marked difference in what we are saying. You are saying the Office of Personnel should go first -- should not go first --

Mr. Cohen:

I am asking a simple question: Was there an organizational analysis done on these positions?

Mr. Ricciardi:

Each department I have gone through. I believe in my heart that any director of any department, including the Director of Public Safety, should not have a Deputy Director of Administration. That is a position, administration, office, that is the responsibility he or she has. So my first one was that it was consistent through. Deputy Directors of Administrations should not be in the budget, that is the work the Director should have.

Administrative assistants, administrative aides, again, organizational wise, just drop them off, Director of Parks & Rec, Director or Deputy Director, administrative aides, administrative assistants, every job is needed, Mr. Cohen, remember this. Every job is needed. The question is, we are tightening up the belts. We have two administrative assistants to a Deputy Director. I am saying we have to forego one of them. I was hoping through these negotiations --

Mr. Cohen:

Mr. Ricciardi, I don't want a speech here, a political speech.

Mr. Ricciardi:

They are not political speeches.

Mr. Cohen:

I just want to know very simply, if I may, Mr. Chair --

Mr. Ricciardi:

They are not political speeches. It is the same thing that you did to the Office of the City Controller when you voted to eliminate their positions.

Mr. Cohen:

No. I knew exactly what those positions were. I want to know, did you do an organizational analysis and do you know the

duties of these positions?

I think you have answered the question about your organizational analysis.

Mr. Ricciardi:

The majority of the duties I have researched through the job descriptions that I received through Personnel & Civil Service that we went down and we collected. Obviously, I did it mostly from a quantitative standpoint, in terms of an organizational chart. Keeping in mind that we are cutting.

Mr. Cohen:

Let's take the first one here. And I am not going to go through them all, I just want to get a sense here. The first one that I see here is Associate Solicitor. What are the duties of the Associate Solicitor? How exactly did you determine that her head should be on the chopping block?

Mr. Ricciardi:

I am sure that the Associate Solicitor does work and does fine work. You asked me a question.

Mr. Cohen:

I asked you what her duties were.

Mr. Ricciardi:

We have a Solicitor, we have a Deputy Solicitor. Knowing that we have to cut, I find no reason that her job responsibilities could not be picked up by our Solicitor and our Deputy Solicitor.

Mr. Cohen, all of these people do something.

Mr. Cohen:

Did you talk to the Solicitor about that?

Mr. Ricciardi:

No, I did not.

Mr. Cohen:

Did you talk to any of the department heads that are involved here, particularly the Parks Department? I think most of your eliminations that you propose are in Parks.

Mr. Ricciardi:

No, I didn't, but we can do that now, because these are the budget deliberations; we are still in budget deliberations, Mr. Cohen, we are still within the five week window. We still have time and I will sit here all day and we will go director to director.

Mr. Cohen:

Mr. Chair, if I may, I don't think that this is productive, and only because I don't feel like I am getting the answers here. What answers I have gotten is that I don't think that there was an organizational analysis or any kind of staff analysis done to determine these positions. The directors involved in each of these departments, none of them were consulted, not a single one. Most of these eliminations that are proposed are in the Parks Department. I asked the Director of the Parks Department -- he is right here, certainly willing to speak for himself -- whether this was discussed with him. Never discussed with the department head, either before or after Councilman Ricciardi was Chair of the Committee on Parks.

I think we've got a problem here. I do think this is insensitive, Mr. Chair, I do think this is insensitive, because 29 days after passing the budget, without knowing what our revenue situation is, what I see here is a scramble to fire people, and I think it is wrong. I certainly agree with Councilman O'Connor who says that we should be looking to cut programs, to do everything we possibly can to cut other things, rather than personnel. And I can't support cutting 18 positions without any analysis of those positions or even knowing whether the City budget is in such a condition that we need to cut those positions. We shouldn't be rushing to fire people. That is what I think we are doing, and I can't support this bill.

Mr. Wagner:

I will be brief. I oppose Bills No. 131 and 132 for some substantive reasons relating to the bill and some of the things that we see happening right now. I truly believe that legislation like this without any basis really ends up being a

battleground here on Council and/or a legislative fight with the Administration. And the people caught in the middle of it are precisely the people listed on the legislation in front of us. I really don't think that is fair to this Council, I don't think it is fair to this government, I don't think it is fair to those people. I think there is an indirect violation of a common courtesy to our colleagues, particularly Councilman O'Connor who chairs the Parks & Recreation Committee, and the majority of cuts and changes occur in his committee. He should have been consulted, and the Director that chairs that department. Maybe some cuts will need to occur later in the year; hopefully, they will not. My recommendation to the Administration is if that is the case, let's do it through attrition, and that has always been my recommendation.

But in a very general sense, I have to say that this is the wrong way to proceed. I would hope that this legislation does not pass.

(Deleted text.)

Mr. Ricciardi:

Mr. Milliones, I will be 15 seconds. I just want to thank my colleagues for the courtesy of being heard today. There were some very good points made. I think,

Mr. O'Connor, you brought up some good points about spending outside of the salary accounts, and Mr. Onorato, I thank you for your comments, especially the one concerning future possible reductions.

(END OF REMARKS)

(Transcribed by Helen L. Kriebel)

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Ricciardi

AYES 1

NOES 7

(MR. DARKINS ABSTAINING)

VOTING NO:

Mr. Cohen

Mr. O'Connor

Mr. Ferlo

Mr. Onorato

Michelle Madoff

Mr. Wagner

Mr. Milliones

(Pres't)

And a majority of the votes of Council not being in the affirmative, the bill was defeated.

Mr. Ferlo presented

Bill No. 176

Report of the Committee on General Services for January 29, 1992 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 34

A Resolution entitled, "Resolution providing for a professional services agreement or agreements

or for the use of existing agreements for the purchase of fuel for City owned vehicles, and providing for the payment of the cost thereof."

Which was read.

Mr. O'Connor:

On Bill No. 34, I'd like to make an amendment. The original amendment has \$500,000 for the gas card; I'd like to hold it at \$400,000.

Mr. Milliones seconded the motion.

Michelle Madoff:

Mr. President, do I have permission to ask a question?

Mr. O'Connor, could you tell me what evidence you have to do that?

Mr. O'Connor:

I'm seeing an alarming trend here. The first half of last year they were averaging 29,000 gallons a month. The second half of the year they were using 35,000 gallons. So, it looks like they're going to the pumps a lot more than I feel they should and, as we said, we would like them to use our own gas and save money.

Also, I'm trying to give them an incentive to better manage it, and they're looking at whether it be light duty or whoever to open these pumps up on 4 to 12 or a 12 to 8 basis, like at Schenley Park, instead of using a credit card as much, and trying to save money --

Michelle Madoff:

Did you go to Mr. DiNardo to discuss your amendment?

Mr. O'Connor:

Yes.

Michelle Madoff:

And what did he say? Can he manage with a \$100,000 cut?

Mr. O'Connor:

Yes, he said it would give him some incentive to better manage it.

Michelle Madoff:

That was very important. If he says that he can do it, well, more power to you. I'll vote with you.

Mr. O'Connor:

Thank you.

Michelle Madoff:

May I continue? I would hope that we have eliminated the cards that go to the Water Department, which came as sort of a surprise to me, and I want to be sure that in so voting that this is contingent on the vote, that the water cards would be removed.

I'm surprised to find out what you just told us, Mr. Of Course O'Connor. I did not know that you were using more --

Mr. O'Connor:

Michelle, you may be interested also that the Water Department isn't using that much. Only 98 percent of the usage is from Police and Paramedics, on the card.

Michelle Madoff:

My concern is, just to reiterate very briefly and succinctly, the purpose of this legislation introduced by the President of Council, Mr. Wagner, was to keep our Police and Paramedics from having to go across town and be out of service which would then have mandated that we need more people. As you know, the cost of personnel and the benefits would be far, far in excess of what we would be saving by paying a few cents extra at the pumps in the immediate communities.

The one thing that nobody has addressed and has let drop and I have addressed is that we were to have it today, and I didn't see it and I thought maybe my colleagues saw it, did anybody get the total dollars that are spent in the differential between pumping their own gas and getting full service? We were to have that for today's vote. Did anybody see it? I didn't see it. Are we going to vote on the bill anyway even though we didn't get that information?

The Chair:

Are there any other comments?

Michelle Madoff:

I think that should be answered by the President of Council.

The Chair:

I think we should send a message with this bill that all purchases of gasoline, whenever possible, be pumped by the user that is obtaining that gasoline so that there is a savings for the taxpayers.

Michelle Madoff:

Since this is a big issue, an issue in the

media, an uproar with the public who were offended, I'd like to know if there's been an improvement with these people in question, the paramedics, the fire, and the police officers pumping their own gas. If not, to what tune are we paying for full service. I'd like to know that before I vote on this bill.

The Chair:

How about if we consider an amendment requiring that?

Michelle Madoff:

That would be fine with me. I'd be happy to offer it.

Mr. Cohen:

Mr. President, I think that's what this amendment will do or at least push the department to begin doing.

On the amendment, I think the amendment makes a lot of sense. I'm going to be voting against the bill as amended and I would like to discuss that when that comes up.

But on the amendment, I think that reducing the dollar amount will bring the department to control its cost a little bit more. We haven't really been given an explanation that Councilman O'Connor pointed out as to why the increase in gas card usage. I think the potential for abusing gas cards is high and I think this will limit that potential.

Mr. Ferlo:

Mr. President, while I continue to remain in opposition to the gas card program because I think another alternative management plan could be in place utilizing 29th Street more fully throughout the day as well as the five satellite

Public Works gas stations which are in fact more geographically and demographically located than the four profit gasoline stations under the gas card system, I do support the amendment and I hope we do support the amendment because it does imply and require the Administration, who I'm sure will spend that money by August or September of this year, to look at some of the alternatives including the modified duty possibility as well as continuing to limit the amount of people that do utilize the credit card system.

So, I'm still voting no on the bill but I do support the amendment.

Mr. Onorato:

Mr. President, I, too, support the amendment. I think it will require the Administration to make some decisions halfway through the year. However, I do not think it addresses the problem we discussed last Wednesday, and that is that we're still spending approximately \$400,000 to \$500,000 in paying market rate.

Regardless of whether you use credit cards or not, with that kind of purchase there should be some kind of bulk discount. That's not happening and, as far as I see it, it's wrong. That's too big of a purchase to be paying market rate.

Michelle Madoff:

Mr. President, I believe we do buy in bulk; I think that's a misunderstanding that needs to be cleared up.

Mr. Onorato:

No, it isn't. We pay market. The City pays market when they use their credit cards because you can't look at the sales tax exemption because we get that regardless of what we

purchase; we're a municipality. We're starting with market rate and we take away the sales tax which will happen anyway. The only time we purchase bulk is at the location the City owns, but we're not using those for the police cars. We are going to the pumps and we're using credit cards and we're paying even above self-serve, even though it's five cents above self-serve. We're paying above self-serve because we won't even pump our own gas and something has to change.

Michelle Madoff:

Mr. President, may I have the floor back?

I agree with Mr. Dan Onorato. I think we're saying the same thing. I was saying that when we buy gas for the City, we buy it in bulk rate. Obviously we're not buying bulk rate when we use a charge card. That was not a disagreement. I thought you were saying that the City wasn't getting a bulk rate for their own gas. We are.

But, you're right. I think that if we're going to give the business in such volume to these individual gas stations, I had not thought about the idea of asking for a discount rate and I think you're absolutely right. But since there is not a written motion, and the rules of this Council say that we must have a written motion, we have to vote to waive that right and I'd like to do that so that I can make the motion, as you suggested, that those using the charge cards will indeed have to pump their own gas and not take advantage of the full service.

The Chair:

Prior to making that motion, let's deal with the amendment in front of us.

All those in favor of reducing the amount by \$100,000, signify by saying aye. Opposed?

WHICH MOTION PREVAILED.

Michelle Madoff:

Now I move to waive the rule of having to have it in writing today.

Mr. Ricciardi seconded the motion.

WHICH MOTION PREVAILED.

Michelle Madoff:

Now on the amendment to the bill. I amend it to say that all users of charge cards must pump their own gas and cannot take advantage of full service, unless it is an absolute emergency.

Mr. Ferlo:

Second for discussion. Are we specifically indicating that we're talking about self-serve as opposed -

The Chair:

Yes.

Mr. Ferlo:

Okay. That does not necessarily mean the actual employee is pumping the gas. I want a clarification. Are we saying that physically the employee, police officer, otherwise must pump the gas or -

Michelle Madoff:

Yes.

Mr. Ferlo:

Let me ask my question, Michelle.

Or is the intent that we pay the lowest self-

serve rate? I just want a clarification on the intent of the motion.

Michelle Madoff:

Both, because if you pump it yourself, you get the lower rate.

Mr. Ferlo:

Michelle, please don't be argumentative. I just want a clarification on what the intent of the motion is.

Michelle Madoff:

I'm not being argumentative. The motion is to get the lower rate any way we can, and the way we get it is if the person pumps their own gas. We don't have to fight about it.

Mr. Cohen:

Mr. President, on the motion. I think the motion makes sense. There are some things out there that aren't complicated; they're just common sense. That is what everybody understands; that self-serve is cheaper than full-serve and that we should be getting the lowest price that we can which, by the way, means not gas card but we'll get to that later. We should get the lowest price we can and let's have the employees pump their own gas. I don't think it's too much to ask.

The Chair:

I think it's an excellent motion and it certainly eliminates out of the picture the higher cost of gasoline permanently because now it would be legislated.

Mr. Ferlo:

Mr. Chairman, I support the amendment.

I only want to stipulate and clarify that there's a difference between if the amendment says, "self-serve" versus the amendment saying, "self-serve, employees pumping their own gas". I just want a clarification on what exactly we're voting on.

Michelle Madoff:

I'll make it very simple. I can reword it to make it simple. At all times we must have the lowest rate which is the self-service.

I think what Mr. Ferlo is saying is, if somebody goes in at the lowest rate and somebody wants to pump the gas for him --

The Chair:

That's fine. Councilwoman Madoff, let's not complicate this. You just stated it very clearly.

All in favor of that motion to amend this bill, signify by saying aye. Opposed?

WHICH MOTION PREVAILED.

The Chair:

Okay the bill has been amended twice. Is there any discussion on the bill itself?

Mr. Cohen:

Mr. Wagner, I support both of those amendments, but I do not support the bill as a whole. I want to, first of all, thank Director DiNardo for coming to me on Thursday to discuss this bill. I appreciated that but I respectfully disagree with him on the bill. I'm simply not convinced that gas card is necessary.

One of the cardinal rules of business is that you should get volume discount if you buy in volume, and we are not doing that. Even with

self-service, we are not getting the kind of price for gasoline that we should be getting. We buy hundreds of thousands of gallons of gasoline and we're still paying retail rate. It doesn't make sense.

We have one main pumping station and five satellite stations that we can use that I don't think will take our emergency vehicles out of our districts because they're scattered throughout the City, and I do think that the potential for abuse in the gas card program is high.

So, for those reasons, I can't support the bill.

Mr. Ferlo:

I support the amendments because it puts further constraints and would direct the Administration to better manage this program.

I continue to be opposed to the gas card system because I agree with the policy intent. The policy intent, as envisioned originally by yourself, Mr. Wagner, and others, was the need to keep police and other vehicles in their respective neighborhood areas as opposed to everybody necessarily on a 24 hour basis coming back to 29th Street.

I agree with that, but we can have our cake and eat it too. We can have cheaper bulk rate fuel, but we need to have inter-departmental cooperation between General Services and the Public Works Department. Public Works manages five satellite fueling stations, in fact, better geographically located around the City with 29th Street, General Services, than the actual gas card program that we're paying a very large amount of money for. And I'm only asking continually for the last three years that I have voted no on this, that we look at and we envision another alternative management plan that utilizes those 29th Street stations. Not only the 29th

Street station but the various Public Works gas pumps around the City. Those gas pumps we're already paying the overhead for. Those gas pumps, half of the year have a 24 hour person pumping the gas in addition to 29th Street which had three shifts but was cut back this past year, I believe, to two shifts until 11:00.

It's just a fallacy to think that each and every police car or vehicle has to be filled up every single shift. That is not the case. And I vote no, not because I don't agree with the policy of keeping emergency vehicles in their area, which is a good one. It just does not make sense to pay this big buck to have those gasoline credit cards out. It's a waste of money and there's a better way to deliver the service that we want.

Michelle Madoff:

I have reviewed the process of security and there's a very tight security system on how the cards are given out, so I don't think that's really our major problem and that has been substantiated by the Administration.

I believe that those of us who have listened to this program over a number of years at budget time have looked at the bottom line, and the bottom line shows that if we don't go to this process that Mr. Wagner introduced, the dollars to the City are far greater to the taxpayers than having these cards.

My suggestion is that we go with the bill now, that Mr. Cohen and Mr. Ferlo and Mr. Onorato and others who would like to represent this Council sit down with Mr. DiNardo because any bill is not carved in granite. We can come back and amend the bill at any time and change the process. We don't have to wait a year to do it. But I don't think it would be in the advantage of this community to lift those cards now and not have the ability for the paramedics and the police to get gas when needed in their community

because I believe the security is very tight on the cards.

The Chair:

I'd just like to make a brief comment. This bill actually saves lives by keeping police and paramedic vehicles in the districts. That's how important it is. And I would hate to see this bill fail because it truly means that the districts south of the river, the districts north of the river, the districts in the eastern part of the City, do not have direct access to fuel for emergency vehicles.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Darkins	Mr. O'Connor
Michelle Madoff	Mr. Ricciardi
Mr. Milliones	Mr. Wagner
	(Pres't)

AYES 6 NOES 3

VOTING NO:

Mr. Cohen	Mr. Onorato
Mr. Ferlo	

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also, with a **NEGATIVE** recommendation,

Bill No. 31

A Resolution entitled, "Resolution amending Section 6 of Resolution No. 384, approved May 2, 1991, entitled, 'A Resolution authorizing the City to incur lease rental debt in the amount of \$14,000,000 by entering into an equipment lease with the City of Pittsburgh Equipment Leasing Authority at annual rentals in varying amounts which will be sufficient to pay the principal of and interest on the Authority's equipment revenue bonds, Series of 1991, the proceeds of which will be used to pay the cost of acquiring equipment and paying financing costs relating to that series; approving the form of lease and authorizing execution of the official statement relating to the Authority's bonds,' by prohibiting the rental of Pumper/Ladder Trucks by the City of Pittsburgh from the Equipment Leasing Authority until authorized by Council."
—(SPONSORED BY MR. FERLO)

Which was read.

Mr. Ferlo:

On Bill 31, on the other bill that I had submitted regarding the Equipment Leasing Authority, Bill 31 is a last ditch effort on my part again, and that is, this is in relation to the City. This proposal that I have submitted actually would not allow the City Administration to actually lease the so-called quint fire pumper ladder truck vehicle.

Just to reiterate, and I won't belabor it to death, but I would like my comments brought forward on Bill 31. This bill does not do two things. It does not disrupt the bond issue, which we already have approved. This bill does not allow the Equipment Leasing Authority to enter into contract; they already have to purchase the quints. That's all this bill does, is say that as ■

municipality we, in fact, are not going to lease the pumper ladder quint truck vehicle until such time that the Administration comes back to Council by way of resolution. In fact, they've already entered into contract to purchase the quint truck. In fact, they already have the bond fund and have the money in the bank. Again, this solely deals with the issue of the leasing prerogative.

(REMARKS ON FOLLOWING PAGE)

(BEGINNING - MR. FERLO'S COMMENTS ON BILL NO. 31, WEDNESDAY,
JANUARY 29, 1992)

Mr. Ferlo:

I have recommitted these bills not to entertain additional debate but only to allow a time period to take place in which the second bill, Bill No. 32, which involves future purchasing of Equipment Leasing Authority, the Solicitor advised that we vote on that and with final action next week and the Equipment Leasing Authority Board is meeting this afternoon to take action adopting the resolution, but by way of discussion the Bill No. 31 is the infamous debate on the wisdom of purchasing the quint truck and I voted in favor of that and a majority of Council voted against it. We had unanimous support from Bill No. 32 which involves future purchases regarding the Equipment Leasing Authority.

The Chair:

Did I understand you to say you were recommitting?

Mr. Ferlo:

No. These were recommitted from Tuesday's final action.

(END OF COMMENTS)

PREPARED BY: MARY ANNE HRUSKA
STENOTYPE REPORTER

Mr. Ricciardi:

Mr. Wagner, on this bill I will also be voting in the affirmative to clarify the bill, as Mr. Ferlo has, that this bill will not reach the contract between the Equipment Leasing Authority and the vendor. As a matter of fact, this bill will not stop the delivery of any fire apparatus to the Equipment Leasing Authority. What this bill will do is that any apparatus that then is leased by the City of Pittsburgh, we will have an opportunity to review.

To respond to one of my colleagues last week who said that he would rather have the experts make the decision in this matter, may I say that I remember when the experts made the decision a few years ago before I was on City Council on the tiller truck. And we all know about that fiasco.

So, what I'm saying in voting affirmatively on this is, I'm not saying that I will stop in this case quints from coming into the City of Pittsburgh, but before any quint makes it to the City of Pittsburgh I have to feel comfortable that that fire apparatus can work here in the City.

So, I hope this issue, Mr. Wagner, is just as important as the other issue about the credit cards and especially what you had said, that I believe this issue is an issue of saving lives also. Thank you, Mr. President.

Mr. Onorato:

Mr. President, on the last two preliminary votes there was a lot of confusion over this bill. I was personally confused that if we voted yes for it that we were looking right at a law suit because the City already contracted to purchase the quints.

Over the last week and a half, in talking with several people and figuring out what this bill

actually does, we're not questioning the contract. The Leasing Authority has the ability and they have already entered into the contract, and we're not going to refuse the contract or refuse the purchase.

The way I understand this in cooperation or coordination with Bill 32 is that this bill will just allow Council to have one more review of any large purchase of equipment before it goes out on the street. It just has another check. At that point, Council can approve and the quint will be used in the streets. So, it's not a cancellation of the quints.

I will vote in favor of this bill at this point. I am changing my vote because, as I mentioned earlier, the confusion around this bill has been cleared up in my mind and I don't see any problem with the bill now because we are not saying no to the purchase and the Leasing Authority has the power to contract and we're not interfering with that contract.

Mr. O'Connor:

This bill states that it starts January 1, 1992. The contract for the quints, as I remember, was signed January 6th. Is that going to be a legal problem?

Mr. Cohen:

Yes.

Mr. O'Connor:

Then I refer to Mr. Cohen as our lawyer here. That's why we all voted no to begin with and I think it could be a big legal thing.

Mr. Cohen:

I think it's a legal problem. Absolutely. A serious legal problem.

Mr. Ferlo:

I just want to state again that this legislation does not legally upset the original bond indenture because, in fact, we've already sold the bonds, the ELA already has the money in the bank, and people bought those bonds knowing that the credit worthiness of the City was behind it, never knowing indeed whether or not we were going to buy a quint or anything else. They bought that independent and irrespective of any specific piece of equipment.

Secondly, the Equipment Leasing Authority already has the money in the bank. They've already supposedly executed a contract to purchase these four quint trucks. We are not going to disrupt that. The only thing we're saying in this legislation is that as a municipality we are not, in fact, going to lease the quint pumper ladder truck until such time that the Administration comes back to us by specific resolution to do so.

So, in that sense, I do not agree with my learned colleagues, the attorney, that we are disrupting the legal.

Michelle Madoff:

Okay, let's talk about the real world. The fact is that we, by authorizing the Leasing Authority to buy these quints, have given the power to buy equipment, have indeed committed \$14 million to buying these quints and they have to be paid for.

I initially voted in support because of the legality that yes indeed we're on the hook for the money and that's the taxpayers' money. And when it came to final vote I changed my vote and I stated that it was a protest vote. And the protest is that I deeply, deeply resent, and I hope everybody else does, and I hope the public does.

We were elected to overview what happens in this City and repeatedly this Council said that we have concerns about the quint. We would like to be reassured. We would like to have the actual product come to the City and let us look at it. Over and over again when the issue came up we said that we were not sure. We were unsure.

Now, with that in mind, the Leasing Authority went right ahead and bought what we were unsure of and which we questioned, and then said to us, "We told you; therefore, we bought it. You have no say in it; you're only elected officials."

Now, the fact is that we're going to have to pay for them, no matter what they bought. It's after the fact. I'm offering a protest vote. I'm going to stick with my protest vote because I don't ever want to be in that position again.

Granted, normally we do not have the authority, and we are not experts on what piece of equipment to buy. But you don't have to be a genius when you've been head of the Water Committee for 13 years and you find out that the men are driving, men, not women, they were driving trucks that were the wrong design for water equipment. So, to get the right design, you ask the people who use them, and then we change the design.

When I had the department for two months, the last time we bought those fiascos in the Fire Department, the tillers, where we had to replace the floors, put weight at the doors, redo the floors of the fire stations so that we could make them stronger. And we had problems with them; we had the design problems.

I don't want to compound a felony. I want it to be knowledgeable. I said, "Don't buy until we're knowledgeable." and they said, "We're

going to put this program in right away. We won't give Council a chance to get the facts." And I think that's morally and ethically wrong and I'm going to vote no.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Darkins	Mr. O'Connor
Mr. Ferlo	Mr. Onorato
Michelle Madoff	Mr. Ricciardi

AYES 6	NOES 3
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VOTING NO:

Mr. Cohen	Mr. Wagner
Mr. Millions	(Pres't)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also, with an affirmative recommendation,

Bill No. 32

A Resolution entitled, "Resolution amending Section 1 of Resolution No. 652, approved July 16, 1980, entitled: 'A Resolution authorizing the formation of a Municipality Authority to be known as City of Pittsburgh Equipment Leasing Authority, adopting a form of Articles, authorizing the execution of Articles and the filing with the Secretary of the Commonwealth and appointing members,' by specifying the

project or projects to be undertaken by the Equipment Leasing Authority." (AS AMENDED IN COMMITTEE)

Which was read.

Mr. Ferlo:

Mr. President and Members of Council, on Bill No. 32, I'd like to offer an amendment by substitution. This is one of the bills pertaining to the Equipment Leasing Authority. This is in cooperation with a vote that the ELA Board took a week ago. This involves future purchasing of equipment and this resolution is confirmed by the ELA Board as well as now Council.

It basically says that in the future on bond issues, when and if we approve that debt service we also approve the actual pieces of equipment to be purchased. Or, from time to time during the bond issue when the Equipment Leasing Authority has money in their account and chooses to go out and purchase new equipment, they have to come back to Council by resolution.

This is in conformance with the Solicitor's amendment last week on the ELA Board, amending by substitution.

Mr. Cohen:

Just a question for Councilman Ferlo. This looks very similar to the language that said Section 1 here, that the City shall specify the equipment to be leased.

Is this amendment that you're offering different from that language and, if so, how?

Mr. Ferlo:

It's only different to the extent that the amendment that the Solicitor wrote up last week for the Equipment Leasing Authority Board is

this language that I'm amending by substitution. Both basically do the same but we wanted to be consistent with the actual resolution that the Authority Board passed last week at the request of the Solicitor. There's no substantive difference.

The basic issue is that in the future, when and if they purchase equipment either at the time that we give them the bond funds or during that interim period, they must come back to Council by resolution.

Mr. Cohen:

I see. Thank you.

The Chair:

Is there any further discussion on the bill as amended?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably in law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Millions	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Michelle Madoff:

For the Record, what that bill now does is that this Council will have a say over every piece

of equipment that is purchased by the Leasing Authority.

The Chair:

The discussion on the bill, Councilwoman, is completed.

Michelle Madoff:

I just wanted to be sure it's in the Record.

Mr. O'Connor presented

Bill No. 177

Report of the Committee on Parks and Recreation for January 29, 1992 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 89

A Resolution entitled, "Resolution providing for an Agreement or Agreements with an independent contractor for the purpose of maintaining the bonsai collection at Phipps Conservatory. The total cost shall not exceed \$28,750.00, and shall be chargeable to and payable from Code Account PCTF(253153) Phipps Conservatory Trust Fund in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 90

A Resolution entitled, "Resolution providing for a license to Duquesne Light Company for the

installation, use, operation, maintenance, repair, renewal and finally, removal of an overhead electrical system on certain property of the City situate in the 5th Ward in connection with furnishing electric service to Kennard Park."

Which was read.

Also,

Bill No. 91

A Resolution entitled, "Resolution providing for a Lease or Leases and/or a License or Licenses for the use of certain property for a Community Recreation Center located at 200 Tabor Street at a yearly rental cost not to exceed Nine Thousand (\$9,000.00) Dollars, payable from Code Account 1801, Miscellaneous Services, Index Code 180109, in the Department of Parks and Recreation."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Mr. Milliones	Mr. Wagner
M. O'Connor	(Pres't)

AYES 7

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 92

A Resolution entitled, "Resolution providing for a Lease or Leases and/or License Agreements for the use of certain property for Senior Citizen Facilities and/or Management Agreements for the provision of center services to senior citizens in an amount not to exceed \$182,364.00, chargeable to and payable from (SCPTF), (254250), Senior Citizen Program Trust Fund."

Which was read.

Also,

Bill No. 93

A Resolution entitled, "Resolution authorizing the City to enter into a lease and operating agreement or agreements with Neville Ice Arena, Inc. for the construction, use, operation and management of a Dek hockey rink or rinks at the site of the City's open-air tennis courts in the 16th and 17th Wards, adjacent to the Neville Ice Rink, to be used for Dek hockey and for other recreational purposes."

Which was read.

Mr. O'Connor:

I'd like to recommit Bill Nos. 92 and 93. We're waiting for the square footage on some of the properties on 92 and there's some questions on the lease of the hockey in the South Side on 93.

Mr. Cohen seconded the motion.

WHICH MOTION PREVAILED.

Also,

Bill No. 94

A Resolution entitled, "Resolution authorizing the Director of the Department of Parks and Recreation to increase certain admission fees at the Pittsburgh Zoo, effective January 1, 1992."

Which was read.

Mr. Cohen:

I'd like my comments brought forward on Bill No. 94, please.

(REMARKS ON FOLLOWING PAGES)

(BEGINNING - MR. COHEN'S COMMENTS ON BILL NO. 94, WEDNESDAY,
JANUARY 29, 1992)

Mr. Cohen:

Director, if you can briefly explain how you got to the need, why you are coming to us now with increases in fees number one, and particularly why the adult fee is only being raised by 25 cents while the child and senior citizens fee is being raised by 75 cents.

Dir. Baker:

Let me answer the last part of the question and then I'll let Mr. Young answer the first part of the question.

The reason why we're increasing the children's rates more in appearance than we have the adult rate at this particular time is that we have hit the adult rate many, many times since 1988 and there's an inequity and yet we have left the child rate the same since 1988, so that's why the increase seems to be a higher percentage at this particular time. We've actually raised the adult rate by 55 percent since 1988 whereas the child's rate has remained the same.

Also, it allows us -- we want to be able to offer a group rate and if we have a \$2.00 child rate then that doesn't allow us to have any -- we would get into \$1.50 group rate -- doesn't encourage groups to be able to come to the Zoo, so those are the types of factors that we looked at in coming to this determination.

Mr. Cohen:

Have your costs at the Zoo risen so as to necessitate this increase now?

Dir. Baker:

The cost of the Zoo, actually the cost of our operations has decreased rather than risen. However, we certainly want to do our part in increasing revenues for the City at the same time. This proposal here will actually increase revenues by \$500,000.00.

Mr. Cohen:

Is this proposal from the City's budget office or is it coming from the Zoo?

Dir. Young:

It was collectively put together. Our reason for doing is it to try as close as possible to match revenues with expenses. It's moving toward that way. We had a very good turnout at the Zoo this past year, I think Dr. Baker shared that with you at budget time and what we're trying to do is close the gap between expenses and revenues to try to get the Zoo to be operating as close to break even as possible.

Mr. Cohen:

And these are revenue expenses solely within the Zoo operations.

Dir. Young:

Yes.

Mr. Cohen:

If we raise these fees, can you give me a ballpark figure as to what you think your operations deficit would be for the year with these new fees?

Dir. Baker:

If you're relating it to direct costs, as you probably noted in our synopsis that we gave out during the budget process, We are actually over direct expenses. We are currently very hard within the Department to also determine our actual indirect expenses as well so no, I can't give you that figure today but I certainly hope to be able to give you that figure in this quarter.

Mr. Cohen:

Why don't you give it to us in writing when you obtain it.

Dir. Baker:

We are working on it.

(END OF COMMENTS)

PREPARED BY: MARY ANNE HRUSKA
STENOTYPE REPORTER

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Mr. Milliones	Mr. Wagner
M. O'Connor	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Onorato presented

Bill No. 178

Report of the Committee on Public Safety for January 29, 1992 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 95

A Resolution entitled, "Resolution further amending Resolution No. 616 of 1989 as amended by Resolution No. 762 of 1990 and entitled: 'Providing for the filing of an application by the City of Pittsburgh with the Federal Government for a grant in connection with the National Institute of Justice, providing for the execution of a Grant Contract for the filing

of requisitions and other data; approving the 'Drug Market Analysis Program' Project in Pittsburgh, Pennsylvania; providing for required assurances; providing for execution of payment Vouchers on Letter of Credit and for certification of authorized signatures; creating a Special Trust Fund in connection with the Project; and providing for the deposit of funds in a bank account,' by increasing the grant amount from \$317,269.00 to \$654,758.00."

Which was read.

Also,

Bill No. 96

A Resolution entitled, "Resolution authorizing and directing the City Controller to create a special trust fund to be designated as the Pennsylvania Emergency Management Agency Trust Fund (PEMATF), for the deposit of monies from State Reimbursements and authorizing the use of monies deposited into said Trust Fund by the Department of Public Safety to cover any and all expenses excluding wages and salaries for the Communications Division."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Mr. Milliones	Mr. Wagner

M. O'Connor (Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

The Chair presents

No. 182 Resolution appointing Elaine B. Krasik, 6640 Darlington Road, Pittsburgh, Pennsylvania 15217, as a District 3 Member of the Pittsburgh Cable Communications Advisory Committee, for a two-year term to expire December 31, 1993.

Which was read.

The Chair:

If there is a wish to bring Ms. Krasik before Council, we can do that. Is there a desire?

Mr. Cohen:

I do not have the desire to bring her up. I happen to know her and I think she would be terrific for the job.

The Chair:

Is there any further discussion on the appointment?

And on the question, "Shall the appointment pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen Mr. Onorato
Mr. Ferlo Mr. Ricciardi
Mr. Milliones Mr. Wagner
Mr. O'Connor (Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the appointment of Ms. Krasik was approved.

Mr. Ricciardi:

Mr. Wagner, I would just like to remind the viewing public that today the Fire Arms Redemption Program here in the City of Pittsburgh, which could possibly be cash for guns, will be televised at 2:00. Two guests have joined us today: Mr. Mills from Philadelphia and Lieutenant Willie Taylor from St. Louis, to offer expert testimony. Again, that will be televised at 2:00 p.m. Thank you.

Mr. Ferlo:

Just a point of mention, Mr. President. Last week when Council passed a resolution in support of S12, this is on the Cable Consumer Reform Act, and that passed overwhelmingly by the Senate and the House, I think it's important that we did issue the proclamation in support. It's my hope that the House will actually support the legislation.

It's not the greatest bill in the world but it does restore at least some regulatory control over our local PTCI Company. We would at least in the future have the ability to raise questions about rate hikes as well as service changes to the FCC which will move as a regulatory agency.

It's not the best bill in the world but it's a far cry better than what we have right now.

Mr. Cohen:

I agree with Councilman Ferlo and I think probably both of us have the same concern about the bill. It's good in that it provides for a rate regulation. The problem that I have with it, and I guess that you would too, is that it doesn't allow for municipal regulation of cable rates. What I think the Federal Government should have done is bring it back to the City because we know what's happening here and we know what our problems are. I wish they did that, but they didn't. But, in any event, it's better than what we have now.

Mr. O'Connor:

Since I'm the only one who didn't remark on the layoffs, I'd like to make a quick remark.

I don't know if anybody else has been there, but I worked in the steel mill for six years and I stood in unemployment lines and it's not much fun.

As I said last week, I hope we can put a moratorium on any layoffs, whether it be management or workers. I agree with everyone that I think workers have hit the bottom. We cannot cut any more there; our services are starting to hurt and I hope that we can recall people.

We have a gas card issue that we've been talking about for a week that is a big number, three, four, five hundred thousand dollars. We're talking about \$14 million on the quints which nobody here seems to want, but yet we have.

I was just curious, is it possible to open our budget -- These things, I think, should have been solved in November, maybe October. Should we look at opening budgets a lot earlier so that we can find these problems and spend more

time solving them because, really, everything here is too late. We're five, six weeks after everything is a done deal. I don't know the procedures but I'd like to call on Council, or you, Mr. President, to see if we could get that budget, since this will be my first time going into budget and I see a lot of things that I think I would like to change, maybe some waste that we can keep the people working and not some of the paper things shuffling around. Is there a way to open the budget earlier so that we can solve a lot of these problems ahead of time and work with the Administration on them?

The Chair:

Absolutely. The budget could have been opened in the first week of January. However --

Mr. O'Connor:

No, I'm talking about when you review the budget, instead of the middle of November, maybe November 1st or October. Parts of it. It looks like we didn't have enough time to study it with the holidays. I'm sure it's tough in December to run through these budgets.

The Chair:

The Charter mandates that the Mayor proposing the budget at a specific time each year. Council could always review the budget beginning earlier than that time, however, that gives us a basis by which to move, and that's always been the generally accepted practice. That's not to say that we don't review the budget all year long and discuss what we would like to see in the upcoming budget. However, I think this past year, and with the recession that's been in front of us and the economic turmoil, it's been much more difficult to predict than ever before about the revenues coming into the City and what services we can provide based on the revenues generated.

So, I believe it goes on all the time, and I believe any Member of Council can question the budget at any time. If we want to change the process, we can do that voluntarily or structurally by amending the Charter.

Mr. Ferlo:

Again, I raise this issue each year and that is the two weeks that we spend on the Grants and Donations and Block Grant requests which, as I've said in the past and I'll again state, that I think we should change that part of the process and give us a couple more weeks review of the actual department's spending. And I'll keep raising that issue.

Mr. O'Connor:

One final comment. With the recession, I don't think it's going to get better by November. I hope it does, but I doubt it. I don't think anything will be business as normal for a couple more years. So, these might be things maybe if we could start looking at it closer in October or

November to work and help the Administration and not handcuff people, that money has already been spent, that we should try to solve these problems earlier. That's kind of my suggestion and if we can work on that, I'd appreciate it.

The Chair:

That's a good idea and we should look at it.

I'd like to announce the resignation of Michael Lamb who was Michael Coyne's appointee to the Reapportionment Advisory Committee, and announce the appointment of Douglas Shields who would be Councilman O'Connor's appointment to the Reapportionment Advisory Committee in the place of Mr. Lamb who represented Council District 5.

Councilman Onorato has chosen to keep Mr. Keller as the appointee from his District.

And on the motion of Mr. Cohen

Council adjourned.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXVI

Tuesday, February 11, 1992

No. 6

Municipal Record

ONE-HUNDRED TWENTY-SEVENTH COUNCIL

JACK WAGNER President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER.... Asst. City Clerk

Pittsburgh, PA
Tuesday, February 11, 1992

PRESENT:

MR. COHEN	MR. O'CONNOR
MR. DARKINS	MR. ONORATO
MR. FERLO	MR. RICCIARDI
MICHELLE MADOFF	MR. WAGNER
MR. MILLIONES	(Pres't)

The Meeting was opened by the recitation of the Pledge of Allegiance to the Flag of the United States of America, and a moment of silent prayer for peace throughout the world.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Darkins:

Mr. President, I would ask that Mr. Bernard H. Jones come forward and all those he wishes to accompany him.

As we have come to another session here in City Council and being that this is the month of February that has been designated as Black History Month all over the world, today one of our honorees is that of Bernard H. Jones, Sr.

Mr. Darkins presents

No. 250 WHEREAS, Bernard H. Jones, Sr. has given unselfishly of his skills, time and talents to enhance opportunities for African American youth and adults; and

WHEREAS, Bernard H. Jones, Sr. is Founder, President and Director of The Poise Foundation, Founder of Urban Youth Action, Assistant Director, Allegheny Conference on Community Development and a Graduate of Knoxville College, Tennessee; and

WHEREAS, in 1980 Bernard H. Jones, Sr. courageously created The Poise Foundation, the only African American Funding Foundation in Western Pennsylvania; and

WHEREAS, The Poise Foundation supports and gives grants to African American Social Service agencies in the City of Pittsburgh

and to date has increased their trust fund to more than one million dollars and given more than two hundred thousand dollars to local agencies; and

WHEREAS, in 1966, Bernard H. Jones, Sr. founded Urban Youth Action, Inc., an on-the-job training and mentor program for high school students; and

WHEREAS, as Assistant Director of Allegheny County Conference on Community Development, Bernard H. Jones, Sr. works with top corporate leaders to enhance socio-economic and educational advancement for Pittsburgh residents; and

WHEREAS, Bernard H. Jones, Sr. is an Alpha Phi Alpha Fraternity Brother, life member of the NAACP, and serves on many Boards of Directors, including Chairman of The Pittsburgh Business Resource Center, The Grantmakers of Western Pennsylvania, West Penn Motor Club and The Pittsburgh Public Theater; and

WHEREAS, Bernard H. Jones, Sr. has been honored by many civic and professional organizations for his contributions to mankind, most recently the Whitney M. Young, Jr. Service Award, the Salvation Army William Booth Award and Pittsburgh Child Guidance Center "Kids Need Heroes" Award.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh recognizes Bernard H. Jones, Sr. as a man who not only dreamed but dreamed with a vision making it possible for African Americans to reach and have available resources to meet their needs and accomplish their goals and dreams.

Mr. Darkins moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Jones:

Councilman Darkins, President Wagner, Members of Council, friends and guests. On behalf of my family, my wife had a disabled student and someone was coming to the school to teach her how to work with this student; that's why she's not here today. But on behalf of my family, I wish to thank you very much for this award.

Standing on my left is a man, Mr. Kundiff, who graduated from college. He took me under his wing and nursed me on for many years.

The other three are members of the Board of Directors of The Poise Foundation.

I have been traveling since 1980 all over the United States to different places talking about The Poise Foundation. People have been asking me to come and talk to them. I have had visitors from Pakistan, eight countries in Africa, England, France, coming to Pittsburgh and other places to talk about The Poise Foundation. One of the questions they've been asking me is, "What is your City government doing to help build this foundation?" I can begin to tell them that we have received this award, but we need all the help we can get financially.

When I was at the first Minority Conference in Washington, D.C., they introduced me, among others, and said, "Pittsburgh, Pennsylvania" the boos and hisses roared all over the place. But when I got through telling them about Poise and what we were doing, they stood up and gave me a standing ovation.

One of the things, Councilman, that was left out is that the City government of Pittsburgh has not donated any funds to help support this.

I thank you for this award but I'm praying that you will reach out and help us to build one of the biggest minority foundations in this whole country. There is no other foundation in the United States like The Poise Foundation, and we have people from all over the world coming to visit us and to find out how we did it, see what's going on, and for us to extend to them a helping hand.

I want to thank all of you out there. That mob over there who has been reaching out to help, Johnny Adams, Andrew Farley who I have known for many years, Dr. Herman Reed and Al Gore and a whole bunch of you out there who have been helping us. Thank you. Please continue to help us build The Poise Foundation and God bless all of you.

Mr. Darkins:

To my colleagues on Council and to our President, I heard Mr. Jones say something and I want it to be a part of the Record today. Next year you can guarantee that Poise will get some money from this City.

Mr. Jones:

Thank you very much.

Mr. Darkins:

I'm going to ask now that Helena Gerard Hughes come forward.

Today it is brought to our attention a woman who deserves to receive honors in Black History Month throughout the world.

Mr. Darkins presents

No. 251 WHEREAS, Helena Gerard Hughes' commitment to make a difference began

in 1955 as secondary business education teacher at the Youth Development Center in Canonsburg, Pennsylvania; and

WHEREAS, in 1972 Helena Gerard Hughes joined Community College of Allegheny County and continued to dedicate her skills and talents as Dean of Students, moving the College to new beginnings; and

WHEREAS, Helena Gerard Hughes developed and instituted the College's Model Child Development Center Department; and

WHEREAS, Helena Gerard Hughes created and institutionalized a Women's Center at Community College for women over 23 wanting to return to school; and

WHEREAS, Helena Gerard Hughes strengthened the college's affirmative action posture by hiring significant numbers of qualified women and other minorities; and

WHEREAS, for over five years Helena Gerard Hughes served on the Pennsylvania State Ethics Commission and chaired the Commission for two years; and

WHEREAS, Helena Gerard Hughes has received many awards including the Sojourner Truth Award, the Y.W.C.A.'s "A Tribute to Women Leadership Award" in Education and the "Outstanding Achievement and Merit Award" from Community College of Allegheny County; and

WHEREAS, Helena Gerard Hughes has served on numerous Civic and Professional Boards and currently is on the Board of Directors for Catholic Charities and is past Chairperson of the Board of Directors for Pittsburgh Community Television; and

WHEREAS, Helena Gerard Hughes'

education includes Doctoral Studies in Counselor Education, Curriculum and Supervision from the University of Pittsburgh, Masters of Education in Business Education from the University of Pittsburgh and Bachelor of Science in Business Education from Southern University, Baton Rouge, Louisiana.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh recognizes Helena Gerard Hughes as a determined African American pioneer who fulfilled her commitment to further the aspirations of others and unselfishly gave her talents and skills in meeting the challenge.

Mr. Darkins moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

Ms. Hughes:

Praise and thanks to God for life and opportunity.

Whenever I receive anything of this nature, I am humbled because I recognize that there are so many unsung heroes of African American descent, my colleagues in education and in other fields who have done the same kinds of things that I have done and many more.

So, in their honor and in mine as well, I accept this for all of us because all of us can't be represented at the same time. But I'd like for you to know that I feel that there are so many of us out there today who deserve it. Thank you.

Mr. Darkins:

Valentine's Day is around the corner and I want you to be my sweetheart.

Would Mr. Henry Ryan and family please come up?

I want to thank the President and my colleagues on Council for being so patient with me today. This opportunity doesn't come but one time in life and the people that I have asked to come to Council, as you can see, as people who have made great contributions to the City of Pittsburgh, and they're very deserving of all honors that the City can give them.

Mr. Darkins presents

No. 252 WHEREAS, Henry Richard Ryan is one of the most outstanding civil servants in the history of the City of Pittsburgh; and

WHEREAS, Henry Richard Ryan was born in 1902 in Jonesboro, Tennessee and he arrived in Pittsburgh, Pennsylvania in the year 1917; and

WHEREAS, Henry Richard Ryan is a man of many firsts which include Homewood-Brushton's first Black Committeeman and Alderman as well as the first Black man in the Allegheny County Bureau of Elections Office and the City of Pittsburgh's Department of Public Works, Bureau of Accounts; and

WHEREAS, Henry Richard Ryan is the founding organizer of the 13th Ward Colored Democrats founded in 1930 and a Charter Member of the Optimist Club; and

WHEREAS, Henry Richard Ryan has been an advisor, confidant and associate of David Lawrence, Thomas J. Gallagher, Joseph M. Barr, Pete F. Flaherty and Richard S. Caliguiri, all former Mayors of Pittsburgh; and

WHEREAS, Henry Richard Ryan has blazed trails, opened doors, garnered favor and harnessed power on behalf of all African

Americans in the City of Pittsburgh and he has done this without scandal and without compromise of integrity or moral standards; and

WHEREAS, Henry Richard Ryan is the devoted husband of 49 years to his beloved Margaret and caring father to Henry Ryan, Jr. and Joanne; and

WHEREAS, in his 89 years of life God has blessed Henry Richard Ryan and surrounded him with divine favor and unique vision.

NOW, THEREFORE, BE IT RESOLVED; that the Council of the City of Pittsburgh does hereby honor and recognize Henry Richard Ryan as a man of character, integrity, vision and principle and as an outstanding African American man.

Mr. Darkins moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. Darkins:

I'm so glad that Mr. Ryan is here. In a few days he will be 90 years old.

Mr. Ryan:

Thank you. It's an honor to be here and thank you very, very much. I consider this a deep honor for me.

I can remember when there were only three Members of Council. When my friend, the late Paul Jones, was sworn in, there were only five. It was nothing like this, so this is really history to me.

I appreciate being here and I haven't prepared a speech but I will say that I'm very glad

to be here, very appreciative to have the honor bestowed upon me that I can come here and meet City Council. I watch you every day, your activities. So, this gives me a chance to get out and see what you are doing and how you're doing it.

Again, thank you very much.

Mr. Darkins presents

No. 253 WHEREAS, The Links Incorporated is a distinguished organization recognized throughout the United States and foreign territories for its volunteer service and uplift of all people; and

WHEREAS, The Links Incorporated is committed to educational, cultural and civic activities which are supported through its service to youth, the arts, national trends and services and international trends and services; and

WHEREAS, The Links Incorporated has made contributions to the NAACP, the Urban League, the United Negro College Fund and a host of other worthy causes; and

WHEREAS, The Links Incorporated Pittsburgh Chapter was installed in 1948 by the original Philadelphia Chapter with Pittsburgh founders being Ms. Jessie L. Vann and Ms. Daisy Lampkin; and

WHEREAS, The Links Pittsburgh Chapter is comprised of some of the most progressive and intellectual women in the Pittsburgh community; and

WHEREAS, The Links Pittsburgh Chapter is proud to sponsor the "Images of Zora" by Ms. Ann Tanksley at The Pittsburgh Center for the Arts from March 14 through May 10, 1992.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby proclaims the months of March, April and May as "Links Pittsburgh Chapter Months", in the City of Pittsburgh; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh hereby welcomes Ms. Ann Tanksley's "Images of Zora" to The Pittsburgh Center for the Arts.

Mr. Darkins moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. Ricciardi:

I would like to ask Bessie and Thomas Thornton, their brother and sister, and their five children to please come forward.

Mr. Ricciardi presents

No. 254 WHEREAS, Bessie and Thomas Thornton of Knoxville have been named Outstanding Citizens for 1991 by the Pittsburgh Post Gazette and have also received the Jefferson Medal from the American Institute for Public Service in Washington, D.C. for their work with foster children; and

WHEREAS, Bessie and Thomas Thornton, who have three grown children of their own, became foster parents in February, 1986 and cared for 48 children in that year alone; and

WHEREAS, Bessie and Thomas Thornton currently care for 5 foster children and a 6-year old son who they adopted last October; and

WHEREAS, Bessie and Thomas Thornton are equal opportunity foster parents,

taking in children without regard to race, creed or national origin.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby congratulates Bessie and Thomas Thornton on their awards and on their tireless commitment to the children of Pittsburgh.

Mr. Ricciardi moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Ricciardi:

Obviously, I think this couple is to be commended and really saluted and honored for their fine work and their tireless effort in giving a loving and caring home to people who need it the most, and that is our young people.

I'd like to take this opportunity to invite Bessie and Thomas Thornton to please come forward and say a few words.

Mrs. Thornton:

I just want to say thank you for recognizing that we do a job for children. We love them and we take care of them. And we also try to teach them that they cannot go around breaking laws and things of that sort. And we take them to church to learn that God is here. And if you treat people right, they'll treat you right.

I just thank God that he gave us the energy to keep on taking care of children because it's not an easy job.

Mr. Thornton:

I wasn't expecting this honor of having an opportunity to speak before you all, but I'm

overwhelmed by this presentation from the City. I thought I was just doing what I should normally do. You know, you love children, have room for them, so we invite them in our home. And I just thank the Lord that I have the health and strength and am able to do this. Thank you.

The Chair:

Bessie and Thomas, would you like to introduce the children with you?

Mrs. Thornton:

This is Jaleesa, the little one. The next one is Lisa. This is the son that we adopted, Rayoun. This is Alexis and that is Branail. And, of course, my sister and brother accompanied us today.

Mr. Darkins:

Mr. President, I just want to say to Bessie and Thomas Thornton that the children of today are the parents of the future. I know myself and the President of Council, Jack Wagner, we were just recently at a function with Elizabeth Duncan, the woman that for so many years put children in people's homes.

So, what you are doing today goes with what the psalm says, "If I can help somebody along the way, my living will not be in vain."

The Chair:

Thank you all.

Mr. Cohen presented

No. 183 An Ordinance establishing the Federal Street Business Improvement District, identifying the boundaries thereof, specifying the improvements to be undertaken, the costs and financing of the improvements, the method of

assessing benefited properties and the method of payment of the assessments. (Council District No. 6)

Also,

No. 184 Resolution authorizing a Cooperation Agreement the the URA of Pgh., designating URA of the City's agent for construction of the improvements in the Federal Street Business Improvement District and providing for the payment of the cost thereof. (Council District No. 6)

Also,

No. 185 Resolution authorizing and directing the City Controller to create a special trust account, to be designated as the Federal Street Business Improvement District Trust Account, for the deposit of all payments received from assessments on benefited properties in the Federal Street Business Improvement District and authorizing payment of the monies deposited therein to the URA of Pittsburgh. (Council District No. 6)

Also,

No. 186 Resolution amending Resolution No. 667, approved July 9, 1990, entitled "Providing for the implementation of a Residential Parking Program (RPPP) in the South Oakland community pursuant to Pittsburgh Code, Chapter 549," so as to expand the streets included in the existing South Oakland RPPP Area "M".

Also,

No. 187 Resolution providing for an Agreement or Agreements with Bethlehem Haven for the payment of maintenance, operation, insurance, utilities, furnishing costs, and provision of essential services to the

homeless under the Emergency Shelter Grants Program.

Also,

No. 188 Resolution providing for an Agreement or Agreements with Black Vietnam Era Veterans of Western PA for the payment of maintenance, operation, insurance, utilities, furnishing costs and provision of essential services to the homeless under the Emergency Shelter Grants Program.

Also,

No. 189 Resolution providing for an Agreement or Agreements with Community Human Services for the payment of maintenance, operation, insurance, utilities and/or furnishing costs in relation to the provision of services under the Emergency Shelter Grants Program.

Also,

No. 190 Resolution providing for an Agreement or Agreements with East End Cooperative Ministries for the payment of maintenance, operation, insurance, utilities and/or furnishing costs in relation to the provision of services under the Emergency Shelter Grants Program.

Also,

No. 191 Resolution providing for an Agreement or Agreements with Light of Life Rescue Mission for the payment of maintenance, operation, insurance, utilities and/or furnishing costs in relation to the provision of services under the Emergency Shelter Grants Program.

Also,

No. 192 Resolution providing for an Agreement or Agreements with Miryam's for the

payment of maintenance, operation, insurance, utilities, furnishing costs, and provision of essential services to the homeless under the Emergency Shelter Grants Program.

Also,

No. 193 Resolution providing for an Agreement or Agreements with North Side Common Ministries for the payment of maintenance, operation, insurance, utilities, furnishing costs, and provision of essential services to the homeless under the Emergency Shelter Grants Program.

Also,

No. 194 Resolution providing for an Agreement or Agreements with Salvation Army (3rd Avenue) for the payment of maintenance, operation, insurance, utilities and/or furnishing costs in relation to the provision of services under the Emergency Shelter Grants Program.

Also,

No. 195 Resolution providing for an Agreement or Agreements with Whale's Tale for the payment of maintenance, operation, insurance, utilities, furnishing costs, and provision of essential services to the homeless under the Emergency Shelter Grants Program.

Also,

No. 196 Resolution providing for an Agreement or Agreements with the Woman's Center and Shelter for the payment of maintenance, operation, insurance, utilities and/or furnishing costs in relation to the provision of services under the Emergency Shelter Grant Program.

Also,

No. 197 Resolution providing for an Agreement or Agreements with Womanspace East for the payment of maintenance, operation, insurance, utilities and/or furnishing costs in relation to the provision of services under the Emergency Shelter Grants Program.

Also,

No. 198 Resolution providing for an Agreement or Agreements with the YMCA - Centre Avenue for the payment of maintenance, operation, insurance, utilities and/or furnishing costs in relation to the provision of services under the Emergency Shelter Grant Program.

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Ferlo presented

No. 199 Resolution providing for the issuance of a warrant in favor of Healy, Davidson & Hornack, Attorneys at Law, Fifth Floor, Law and Finance Building, Pittsburgh, PA 15219, in the amount of \$498.00 in payment for professional services rendered to Councilman Jim Ferlo.

---(SPONSORED BY MR. FERLO)

Which was read and referred to the Committee on Finance.

Michelle Madoff presented

No. 200 Resolution amending Res. No. 1137, approved Dec. 3, 1991, eff. Dec. 13, 1991, entitled: "An Agreement or Agreements with a collection agency or agencies for professional services in connection with the collection of delinquent water charges, fines, penalties and interest due the City of Pittsburgh, as agency for the Pittsburgh Water and Sewer Authority at a cost not to exceed \$300,00.00, chargeable to and

payable from Code Account 1922, Misc. Services, Dept. of Water," by amending the title and the resolution by increasing the amount not to exceed from \$300,000 to \$750,000 and by redefining conditions.

Which was read and referred to the Committee on Water.

Mr. Milliones presented

No. 201 Resolution authorizing the City/School Treasurer to enter into an Agreement or Agreements with the School District of Pittsburgh for processing of refunds for various taxes and establishing a City and School Refund Trust Fund from which the refunds will be issued.

Also,

No. 202 Repealing Res. No. 672, Item A, eff. July 15, 1991, which authorized the sale of property in the 13th Ward, being a 2-1/2 story, brick veneer house and a one story, cement block garage on a lot 30 x 135, located at 7027 Bennett Street, designated as Block 125 M, Lot 9, to Edgar S. Phillips, for the sum of \$12,000.00 as the purchaser is unable to obtain financing and to continue with the sale would prove a financial hardship. (Council District No. 9)

Also,

No. 203 Resolution providing for the filing of a petition or petitions for the sale of certain properties in various Wards of the City of Pittsburgh, acquired at tax sales in accordance with Act No. 171 of 1984.

Also,

No. 204 Resolution providing for the conveyance by the City of Pittsburgh of certain property, under Act No. 171 of 1984, entitled, "Second Class City Treasurer Sale and

Collection Act," effective December 11, 1984.

Which were severally read and referred to the Committee on Finance.

Mr. O'Connor presented

No. 205 Resolution authorizing the Director of the Dept. of Parks and Recreation to increase fees and charges at the Schenley Park Golf Course, effective January 1, 1992.

Which was read and referred to the Committee on Parks and Recreation.

Mr. Onorato presented

No. 206 Resolution providing for an Agreement or Agreements with the Center for Emergency Medicine of Western Pennsylvania (CEM)/Infectious Disease Control in connection with Emergency Medical Services of Pittsburgh and providing for the payment thereof.

Also,

No. 207 Resolution providing for an Agreement or Agreements with the Center for Emergency Medicine of Western Pennsylvania (CEM) in connection with Emergency Medical Services of Pittsburgh and providing for the payment thereof.

Also,

No. 208 Resolution providing for an Agreement or Agreements with a psychologist or psychologists for professional psychological services for 1992 for the Department of Public Safety and providing for the payment of the cost which is not to exceed \$60,000.00, payable from Code Account 1401, Index Code 140103, Miscellaneous Services.

Which were severally read and referred to the

Committee on Public Safety.

Mr. Ricciardi presented

No. 209 Resolution providing for the issuance of a warrant in favor of Councilman Gene Ricciardi in the amount of \$1,020.00 for reimbursement for round trip air free expenses incurred for two expert witnesses at the public hearing on the Firearms Redemption Program held on February 4, 1992, chargeable to and payable from Code Account 1001-2, Misc. Services, City Council.

---(SPONSORED BY MR. RICCIARDI)
(PRIOR APPROVAL GRANTED)

Which was read and referred to the Committee on Finance.

Also,

No. 210 Resolution affixing the plaque donated by the 30th Ward, Knoxville Block Watch in honor of Loretta Miller to the new EMS #2 Building located at the corner of Bausman Street and Mathews Avenue, 30th Ward.
---(SPONSORED BY MR. RICCIARDI)

Which was read and referred to the Committee on General Services.

Mr. Ricciardi moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Also,

No. 211 Resolution amending Res. No. 900, eff. Oct. 9, 1991, entitled, "Providing for a

Contract or Contracts, or use of existing Contracts, for Miscellaneous Repairs to Various Streets and Structures; and providing for the payment of the costs thereof," by increasing the total project allocation by \$391,000.00 from \$250,000.00 to \$641,000.00.

Also,

No. 212 Resolution amending Res. No. 820, eff. Aug. 22, 1991, entitled, "Providing for a Contract or Contracts, or use of existing Contracts, Agreement or Agreements, or use of existing Agreements, and the Purchase of Equipment and Materials, in connection with the Renovation of the Baxter Playground; and providing for the payment of the costs thereof," by increasing the total project allocation by \$65,000.00 from \$400,000.00 to \$465,000.00.

Also,

No. 213 Resolution further amending Res. No. 1218, eff. Dec. 31, 1979, as amended by Res. No. 78, eff. Feb. 22, 1980, as amended by Res. No. 430, eff. June 6, 1984, as amended by Res. No. 990, eff. Nov. 20, 1984, as amended by Res. No. 17, eff. Feb. 6, 1985, as amended by Res. No. 1262, eff. Dec. 31, 1985, as amended by Res. No. 1156, eff. Dec. 22, 1986, as amended by Res. No. 636, eff. Aug. 12, 1988, entitled 'A Resolution providing for a Contract or Contracts for engineering and Architectural Services for Grant Street and Liberty Avenue Design, Fort Pitt to Liberty, Sixth Avenue to 12th Street; and providing for the payment of cost thereof; and providing for a Reimbursement Agreement or Agreements with the Commonwealth of PA., Department of Transportation," by increasing the total project allocation by \$125,000.00 from \$1,212,633.92 to \$1,337,633.92.

Also,

No. 214 Resolution amending Res. No.

1273, eff. December 31, 1991, entitled, "Providing for a Contract or Contracts, or use of existing Contracts, for the maintenance of the brick street surface on Grant Street; and providing for the payment of the costs thereof," by amending the title and by increasing the total project allocation by \$100,000.00 from \$20,000.00 to \$120,000.00.

Also,

No. 215 Resolution amending Res. 1055, eff. Nov. 25, 1991, entitled "Providing for a Contract or Contracts, or use of existing Contracts, for Miscellaneous Restoration of Various Water and Sewer Authority projects; and providing for the payment of the cost thereof," by increasing the total project authorization by \$25,000.00 from \$50,000.00 to \$75,000.00.

Also,

No. 216 Resolution amending Res. No. 1272, eff. Dec. 31, 1991, entitled, "Providing for a Contract or Contracts, or the use of existing Contracts, for the Renovation and Repair of Ornamental Fences at various locations within the City of Pgh.; and providing for the payment of the cost thereof," by increasing the total project allocation by \$250,000.00 from \$125,000.00 to \$375,000.00.

Also,

No. 217 Resolution providing for an Agreement or Agreements, or use of existing Agreements, and/or a Contract or Contracts, or use of existing Contracts, and providing for the purchase of equipment and materials in connection with the Rehabilitation of Existing Play Areas; and providing for the payment of the costs thereof.

Also,

No. 218 Resolution providing for an Agreement or Agreements, or use of existing Agreements, and/or a Contract or Contracts, or use of existing Contracts, and providing for the purchase of equipment and materials in connection with Major Court Renovations; and providing for the payment of the costs thereof.

Also,

No. 219 Resolution providing for an Agreement or Agreements, or use of existing Agreements, and/or a Contract or Contracts, or use of existing Contracts, and providing for the purchase of equipment and materials in connection with the Rehabilitation of the Pittsburgh Zoo; and providing for the payment of the costs thereof.

Also,

No. 220 Resolution providing for an Agreement or Agreements, or use of existing Agreements, and/or a Contract or Contracts, or use of existing Contracts, and providing for the purchase of equipment and materials in connection with Various Swimming Pool Design and Rehabilitation; and providing for the payment of the costs thereof.

Also,

No. 221 Resolution providing for an Agreement or Agreements, or use of existing Agreements with a Consultant or Consultants, for Architectural/Engineering Services in connection with Various City Projects; and providing for the payment of the costs thereof.

Also,

No. 222 Resolution providing for an Agreement or Agreements, or use of existing Agreements, and/or Contract or Contracts, or use of existing Contracts, and providing for the

purchase of equipment and materials, in connection with Ballfield Relighting at Various Locations; and providing for the payment of the costs thereof.

Also,

No. 223 Resolution providing for an Agreement or Agreements, or use of existing Agreements, and/or Contract or Contracts, or use of existing Contracts, and providing for the purchase of equipment and materials in connection with the Overlook Improvements; and providing for the payment of the costs thereof.

Also,

No. 224 Resolution providing for an Agreement or Agreements, or use of existing Agreements with a Consultant or Consultants, for Construction Inspection Services for Various City Projects; and providing for the payment of the cost thereof.

Also,

No. 225 Resolution providing for a Contract or Contracts, or use of existing Contracts in connection with Major Renovations of Recreation Centers and Senior Citizen Centers; and providing for the payment of the costs thereof.

Also,

No. 226 Resolution providing for a Contract or Contracts, or use of existing Contracts, and/or Agreement or Agreements, or use of existing Agreements to correct erosion problems in McKinley Park; and providing for the payment of the costs thereof.

Also,

No. 227 Resolution providing for a Contract or Contracts, or use of existing Contracts, for the Rehabilitation of Phipps Conservatory; and providing for the payment of the costs thereof.

Also,

No. 228 Resolution providing for a Contract or Contracts, or use of existing Contracts, for Spot Painting of Various Bridges as part of the Bridge Maintenance Program; and providing for the payment of the costs thereof.

Also,

No. 229 Resolution providing for a Contract or Contracts, or use of existing Contracts, for Street Tree Planting at Various Locations; and providing for the payment of the cost thereof.

Also,

No. 230 Resolution providing for a Contract or Contracts, or use of existing Contracts, for concrete Step Construction or Reconstruction at various locations, including but not limited to Mary St. and Eureka St. (both located in Council District #3); and providing for the payment of the cost thereof.

Also,

No. 231 Resolution providing for a Contract or Contracts, or use of existing Contracts in connection with the Various Renovations of Public Buildings; and providing for the purchase of equipment and materials for said projects; and providing for the payment of the cost thereof.

Also,

No. 232 Resolution providing for a

Contract or Contracts, or use of existing Contracts, for the Rehabilitation of Roofs at Various Buildings; and providing for the payment of the cost thereof.

Also,

No. 233 Resolution providing for a Contract or Contracts, or use of existing Contracts, for Preventive Maintenance on Various Bridges, including but not limited to P.J. McArdle Roadway Viaducts No. 1 and 2 (Council District #3), Shaler Street Bridge (Council District #2) and S. Milvale Avenue Bridge (Council District #8); and providing for the payment of the cost thereof.

Also,

No. 234 Resolution providing for a Contract or Contracts, or use of existing Contracts, for the Installation of Traffic Signal Equipment at Various Intersections; and providing for the payment of the cost thereof.

Also,

No. 235 Resolution providing for a Contract or Contracts, or use of existing Contracts, and for the purchase of equipment and materials in connection with the Safety Code Compliance Program; and providing for the payment of the costs thereof.

Also,

No. 236 Resolution providing for a Contract or Contracts, or use of existing Contracts, and providing for the purchase of equipment and materials in connection with Major Repairs and Emergencies to Park Facilities; and providing for the payment of the costs thereof.

Also,

No. 237 Resolution providing for a Contract or Contracts, or use of existing Contracts, for Rehabilitation of Various Landscape and Turfed Areas; and providing for the payment of the cost thereof.

Also,

No. 238 Resolution providing for a Contract or Contracts, or use of existing Contracts, and providing for the Purchase of Materials and Equipment in connection with Lighting and Electrical Repairs at Various Locations; and providing for the payment of the cost thereof.

Also,

No. 239 Resolution providing for a Contract or Contracts, or use of existing Contracts, for the Rehabilitation of Public Safety Facilities; and providing for the payment of the costs thereof.

Also,

No. 240 Resolution further amending Res. No. 1415, eff. Jan. 1, 1991, as amended, entitled "Adopting and approving the 1991 Capital Budget and the 1991 CDBG Program; and approving the 1991 through 1996 Capital Improvement Program," by increasing EC 91-414 (Inspection Services) by \$15,000.00 from \$260,000.00 to \$275,000.00.

Also,

No. 241 Resolution amending Res. No. 358, eff. April 24, 1991, entitled, "Providing for the creation of a special trust fund to be known as the "Civic Arena Trust Fund" for the deposit of funds to be used to perform maintenance work with existing City contracts at the Civic Arena at the expense of the Authority," by providing for

the reimbursement to the City for costs incurred for Construction Inspection during this project.

Also,

No. 242 Resolution adopting Official Sewage Facilities Plan for the Buncher Yacht Club.

Also,

No. 243 Resolution adopting Official Sewage Facilities Plan for the Richard T. Ozanick Plan of Lots.

Also,

No. 244 Resolution adopting Official Sewage Facilities Plan for St. Margaret Memorial Hospital OutPatient Services Building.

Also,

No. 245 Resolution adopting Official Sewage Facilities Plan for the Dearborn-Winebiddle Garden Apartments.

Which were severally read and referred to the Committee on Engineering and Construction.

REPORTS OF COMMITTEES

Mr. Millones presented

Bill No. 246

Report of the Committee on Finance for February 5, 1992 transmitting one ordinance and sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 70

An Ordinance entitled, "An Ordinance supplementing the Pittsburgh Code, Title One - Administrative, by adding Section 182, Job Sharing, to allow non-union, non-career service employees of the City of Pittsburgh to share the responsibilities, duties and benefits of certain full-time positions."

--(SPONSORED BY MR. COHEN) (AS AMENDED IN COMMITTEE)

Which was read.

Mr. Cohen:

On Bill 70, I just wanted to take a moment to thank my colleagues for supporting this job sharing bill. I think it's an important step towards progressive employment in the City of Pittsburgh and I just wanted to tell people that in a year I will be coming back to amend the Job Sharing Bill after the City has had some experience with it. I hope to amend it to apply to all eligible City employess. Thanks for your support.

I would also like my remarks brought forward on this bill.

(REMARKS ON FOLLOWING PAGES)

(MR. COHEN'S COMMENTS ON BILL NO. 70-Wednesday, 2/5/92)

Mr. Cohen:

Thank you, Mr. Chairman. The way that I came to introduce this bill really was through personal experience in my office. Cindy Busis and Diane Fischer, administrative assistants in my office, wanted to share one position. Diane has four children and Cindy has three, and they need to take care of their children but also maintain the job of administrative assistant.

So we went to the Personnel Department and looked at the City Code and discovered that there was nothing in the City Code that allows for job sharing.

For people who cannot work full time because they have to take care of small children or elderly parents, job sharing permits them to keep their job with the benefits and chances for advancement that is really missing from part time work. This bill allows two employees to split the title, responsibilities, salaries and benefits of one full-time position. It requires each job sharer to work one-half the hours of a full-time position and receive one-half the salary, benefits, vacation, holidays, sick leave, bereavement and personal leave of one full-time position. It can only be done upon the employees' initiative and with the approval of the department head.

The most likely scenario that would result in this is if somebody holds a full-time job right now and finds that they cannot continue because she has small children or elderly parents to take care of, rather than lose that job, under this bill with the approval of the department head they would be able to share it.

I think it is particularly important in these difficult economic times where the traditional Ozzie and Harriet type family is really no longer a reality for many families. It is impossible for many families to survive with the income of one wage earner.

The benefits for the city are strong. It would increase the productivity due to job coverage during absense, vacation or sick leave, it decreases the cost of rehiring and retraining, tends to decrease absenteeism and turn over, and also allows to us attract talented people from a larger pool of people who cannot work full time.

Job sharing is in place in 14 states and several cities, including Mineapolis, Minnesota where they have had a successful experience with it, and hopefully it will be a model for private industry. Several organizations have endorsed the bill, including the Greater Pittsburgh Commission For Women.

I asked that this bill be held last week, Mr. Chairman,

because of some concerns that the Administration had. We have met several times since then and worked out those concerns. And what I would like to do is move to amend by substitution the bill that was introduced, and all of you have that bill in front of you. What I would like to do, if I could, is just describe what the changes are between the original bill and this bill.

(Deleted text.)

Mr. Cohen:

Thank you. The original bill applied to all non-union employees. Of course, we can't apply it to union employees because of collective bargaining. The Administration was concerned that it applied to too many positions and that we shouldn't jump into this head first, but I wanted it to apply to more people. We finally reached an agreement that it should apply to non-union, non-career service employees initially, and that is what this does. That includes 250 positions, full-time positions, 300 part-time positions in the City of Pittsburgh right now. And I think that that makes sense to start on that basis and to come back within a year -- I know that this will be a successful program, but we have to convince everybody of that -- to come back within a year to apply it to all non-union employees. I hope, by the way, that the unions will include this in their collective bargaining negotiations.

That is the biggest change. There are a couple of others, as well. I put in an exception for department heads and bureau chiefs in the Department of Public Safety. That is contained in subsection (f), right at the top of Page 2 there. I think that job sharing probably should not be done by department heads or bureau chiefs in the Department of Public Safety. One of the many reasons being that this Council may find it difficult to deal with more than one person, so I included that exception. The third is we took out of the Code the section for reimbursement for people who waive insurance benefits. The reason is even though it exists right now, that if a city employee decides to waive insurance benefits because their spouse has insurance benefits that apply to the whole family, that is the usual case, they get reimbursed by the city. It turns out that is not in the Code, it is done really outside the Code by the Finance Department. But I have asked the Finance Department if it would apply to this, and each of you has a letter in front of you from Director Hayllar that confirms that job sharers would have the same reimbursement as non-job sharers. But it is not something that is in the City Code. The final thing is that it clarifies some language. There were some

typos and those sorts of things. But those are the major changes.

Thank you for your indulgence. I think this is the first step toward progressive employment in the City of Pittsburgh.

We have Melanie Smith here, the Director of Personnel. Mary Conturo couldn't be here because of a Commonwealth Court argument, but Marianne Malloy who has worked very closely with me on this is here, if Council members have other questions.

(End of remarks.)

(Transcribed by Helen L. Kriebel)

Also,

Bill No. 81

A Resolution entitled, "Resolution providing for an agreement or agreements or for the use of existing agreements for a mixed media package in connection with the Fair Housing Assistance Program of HUD, and providing for the payment of the costs thereof." (AS AMENDED IN COMMITTEE)

Which was read.

The Chair:

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Ferlo	Mr. Onorato
Michelle Madoff	Mr. Ricciardi
Mr. Milliones	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 130

A Resolution entitled, "Resolution authorizing issuance of a warrant in the amount of \$11,500.00 in favor of M.J. Stein Renovation

Inc., 2019 Norte Way, Pittsburgh, PA 15210 in payment of contract for demolition and removal of a 2 & 3 story brick dwelling located at 933 Warrington Avenue, 18th Ward, without previous authority of law and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Ferlo	Mr. Onorato
Michelle Madoff	Mr. Ricciardi
Mr. Milliones	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 80

A Resolution entitled, "Resolution providing for an agreement or agreements with an accounting firm to provide professional auditing services as required by the Pennsylvania Department of Labor and Industry in connection with the Job Training Partnership Act (JTPA) Program and providing for the payment of costs thereof."

Which was read.

Michelle Madoff:

I would like my remarks brought forward and this letter included in the Record. A copy of the audit can be obtained from Melanie Smith's Office.

**(BEGINNING - LETTER REQUESTED BY
MICHELLE MADOFF)**

January 24, 1992

Mr. Thomas Flaherty
City Controller
Office of City Controller
City of Pittsburgh
Pittsburgh, PA 15219

Dear Mr. Flaherty:

Thank you for the opportunity to respond to the performance audit report received with your letter dated December 19, 1991 regarding the Job Training Partnership Act Program.

Our responses and comments on specific sections of the report are contained in the attachment to this letter. In general, the concerns and recommendations contained in the audit report indicate a lack of understanding of the Job Training Partnership Act (JTPA) with respect to its federally mandated reporting system (MIS), the Federal and State regulations that govern its implementation, and the local operation of the job training program. The results of the misunderstandings are evident in the incorrect statements and conclusions and inaccurate data contained throughout the report.

Conspicuous by its absence is any mention whatsoever of the positive achievements of the program during the audit period of July 1, 1988 through June 30, 1990.

Between 1988 and 1990, the City of Pittsburgh JTPA program earned the Job Training Partnership Act Presidential Award for Excellence from the U.S. Department of Labor for its Generations Together project, semi-finalist status from the Ford Foundation and Harvard University for innovative approaches to training older workers, and the National Association of Counties JTPA Award for Excellence for Pittsburgh Citi-Corps.

I regret that the audit report is not an accurate and complete representation of the JTPA program. Hopefully, the attached responses correct the inaccuracies and misunderstanding of the program.

Sincerely,

Melanie J. Smith
Director

MJS/jl
Attachment

(END OF LETTER)

(REMARKS ON FOLLOWING PAGE)

(MICHELLE MADOFF'S REMARKS ON BILL NO. 80-Wednesday, 2/5/92)

Michelle Madoff:

Melanie Smith, please.

We have had some preliminary discussion on this. I understand the difference between a performance audit and a fiscal audit; a performance audit is money being spent correctly, and a fiscal audit is, you get \$100.00, did you spend \$100.00, do you have a receipt? But I think in this particular case, a very short paragraph or two or three lines could justify or explain that, indeed, as part of the fiscal numbers, the job was, indeed, done. I realize it may not be 100 percent within the purview of the fiscal audit, and if you are adamant about not mixing apples and oranges in this sense, I am not going to fight you on it. But I think it is not fair to the public or the taxpayers, wherever this money comes from, whether it comes from federal dollars, state or county, whatever, it is still taxpayers' dollars, to have a perception with the public that you say, "Yes, we did a great job," and somebody says it was a terrible job. We would like to know the truth.

Here is an opportunity to say, your accounting firm to say, "We looked at the numbers and these are the number of people, indeed, that did get the job," to either confirm your numbers or not to confirm it. If I were in your position, I would take advantage of that opportunity. That is my only suggestion.

Ms. Smith: If I could respond to that. The audit that we are requesting permission to contract for is primarily a financial audit that is required by federal and state regulations and has to be performed in accordance with certain publications of the federal government. Certainly, if there is anything that looks inappropriate to them, then they are required to point that out. If they think there is fraud or abuse, they are required to notify state and federal government. But it is primarily financial.

(END OF REMARKS.)

(Transcribed by Helen L. Kriebel)

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Ferlo	Mr. Onorato
Michelle Madoff	Mr. Ricciardi
Mr. Milliones	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Darkins presented

Bill No. 247

Report of the Committee on Public Works for February 5, 1992 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 124

A Resolution entitled, "Resolution vacating a portion of Borden Way. Beginning at a point on the southwest corner of Block and Lot Number 42-M-10, thence S. 31 degrees 46'E. a distance of 35'(feet) to ■ point; thence N. 58 degrees - 14'E. a distance of 4'(feet) to ■ point; thence N. 31 degrees - 46'E. a distance of 35'(feet) to a point;

thence S.58 degrees - 14'W. 4'(feet) to place of beginning, in the 20th Ward of the City of Pittsburgh."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Ferlo	Mr. Onorato
Michelle Madoff	Mr. Ricciardi
Mr. Milliones	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Cohen presented

Bill No. 248

Report of the Committee on Planning, Housing and Development for February 5, 1992 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 109

A Resolution entitled, "Resolution further

amending Resolution No. 608, effective June 25, 1991, as amended by Resolution No. 921, effective October 10, 1991, entitled 'Providing for the execution of a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh for the performance of certain work in connection with the 1991-1992 Community Development Block Grant Program; and providing for the payment of the costs thereof,' to increase the amount of the grant by \$175,000.00 to \$9,449,000.00."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Ferlo	Mr. Onorato
Michelle Madoff	Mr. Ricciardi
Mr. Milliones	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 110

A Resolution entitled, "Resolution providing for the filing of an application for financial assistance with the Pennsylvania Department of Community Affairs for a grant in the amount of

\$1,200,000 in Strategy 21 funds for riverfront improvements at Washington's Landing and authorizing certain other related actions."

Which was read.

Also,

Bill No. 111

A Resolution entitled, "Resolution authorizing a Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh providing for the transfer to the Authority of an amount not to exceed \$400,000 to be used for demolition, site clearance and related activities on Washington's Landing and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Onorato
Michelle Madoff	Mr. Ricciardi
Mr. Milliones	Mr. Wagner
Mr. O'Connor	(Pres't)

AYES 7 NOES 1

(MR. FERLO VOTING NO)

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 112

A Resolution entitled, "Resolution authorizing an Amendatory Crawford-Roberts Cooperation Agreement or Agreements providing for the transfer of an amount not to exceed \$325,000.00 to the Urban Redevelopment Authority of Pittsburgh to be used for public improvements, and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Ferlo	Mr. Onorato
Michelle Madoff	Mr. Ricciardi
Mr. Milliones	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 114

A Resolution entitled, "Resolution authorizing a Cooperation Agreement or Agreements with the

Urban Redevelopment Authority of Pittsburgh providing for the transfer to the Authority of an amount not to exceed \$40,000 to be used to defray the cost of financial services required in connection with the Authority's bond issues and providing for the payment of the cost thereof."

Which was read.

Michelle Madoff:

On Bill 114, I once again point out the cost of doing business on bonds should be borne by the people who buy the bonds. This is another example of why this Council needs to find a consultant to respond to the justification whenever there's a bond and we suddenly come up with another bill to prove to Council that this is absolutely unnecessary. There's no way I can vote for this.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill ass finally?"

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. O'Connor
Mr. Ferlo	Mr. Onorato
Mr. Milliones	Mr. Wagner
	(Pres't)

AYES 6 NOES 2

(MICHELLE MADOFF AND MR. RICCIARDI VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 115

A Resolution entitled, "Resolution providing for the implementation of a Residential Parking Permit Program (RPPP) Area 'S' in the North Oakland, Herron Hill, Schenley Heights and Schenley Farms communities pursuant to Pittsburgh Code Chapter 549."

Which was read.

Also,

Bill No. 116

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Squirrel Hill Urban Coalition for operating assistance in a cost not to exceed \$2,000.00."

Which was read.

Also,

Bill No. 117

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Carriage House for handicapped accessibility improvements in an amount not to exceed \$2,111.00."

Which was read.

Also,

Bill No. 118

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Three Rivers Employment Agency for program support in an amount not to exceed \$5,000.00."

Which was read.

Also,

Bill No. 119

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Operation Better Block, Inc., to provide administrative support to the Agency in an amount not to exceed \$7,000.00."

Which was read.

Also,

Bill No. 120

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Catholic Youth Association for minor rehabilitation of their Senior Center, in an amount not to exceed \$3,000.00."

Which was read.

Also,

Bill No. 121

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Urban League - Northview Heights to provide administrative assistance in the amount not to exceed \$2,500.00."

Which was read.

Also,

Bill No. 122

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Hill District

Ministries for operating assistance in an amount not to exceed \$1,300.00."

Which was read.

Also,

Bill No. 123

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Perry Central Neighborhood Council for purchase of equipment and operating support of their programs in an amount not to exceed \$2,000.00."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Ferlo	Mr. Onorato
Michelle Madoff	Mr. Ricciardi
Mr. Milliones	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. O'Connor presented

Bill No. 249

Report of the Committee on Parks and Recreation for February 5, 1992 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 93

A Resolution entitled, "Resolution authorizing the City to enter into a lease and operating agreement or agreements with Neville Ice Arena, Inc. for the construction, use, operation and management of a Dek hockey rink or rinks at the site of the City's open-air tennis courts in the 16th and 17th Wards, adjacent to the Neville Ice Rink, to be used for Dek hockey and for other recreational purposes."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Ferlo	Mr. Onorato
Michelle Madoff	Mr. Ricciardi
Mr. Milliones	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. O'Connor:

In accordance with Section 322 of the Home Rule Charter, I move that the Effective Date on Bill 93 be the date on which the Mayor signs the bill.

Michelle Madoff seconded the motion.

WHICH MOTION PREVAILED.

MOTIONS AND RESOLUTIONS

Mr. Ricciardi:

Mr. President, once again I would like to talk about the possible closing of the Allegheny County Crime Lab which is to occur March 1st of this year.

I think in the past during dialogue at these tables, we've all agreed that the closing of the Crime Lab would be an Administrative nightmare. However, Mr. Wagner, I'd like to take that a step further. I believe police work in the City of Pittsburgh would be severely hampered if the Crime Lab closes March 1st.

I'd like to take this opportunity, colleagues, to share some statistics with you, if I may. In 1991, the total Crime Lab submissions were 8,056. The total Pittsburgh Police submissions were 3,956. That's 49 percent of the work that the Crime Lab does here in Allegheny County is submitted by the City of Pittsburgh.

To break that down further, just for the City of Pittsburgh, drug submissions were 2,946. Violations of the Uniform Firearms Act were 220. Aggravated assault was 162. Rape, sexual

assault was 115. Gun investigations was 88. It continues down the list. Confiscated weapons was 15.

So, I think we can see how important it is to have a Crime Lab here in the City of Pittsburgh.

Presently, the Greensburg State Crime Lab handles only 6,000. Here in Allegheny County, we handle over 8,000. If you have had an opportunity to look at the State budget, you will see that Governor Casey did not increase the funding for the Greensburg Lab which would mean that if this lab here in Allegheny County would close, I don't believe the Greensburg Lab can handle our cases. Not just the volume of work, but it's important to keep in mind that these people also testify at the hearings, which means that the Greensburg people would have to be subpoenaed, travel this long distance, and when they're en route traveling, they're not back at the office working.

Mr. Wagner, I'd like to share a meeting that I attended this past Friday, February 7th, which was attended by State and County officials, here in the City of Pittsburgh, the Fraternal Order of Police, Pat McNamara, the President of the Allegheny County Chiefs Association and various other Chiefs from other municipalities here in Allegheny County.

May I first state, colleagues, that it was a very productive meeting. People at the meeting were not pointing fingers. I think everyone understood the gravity of how important it was to come up with solutions.

There we explored other possible revenue sources and two came to mind for us, colleagues. One was that we found out through looking at the statistics that people who are convicted of driving under the influence, and also convicted of narcotics violations, we found out that these people generally paid their court costs

and they've always paid their attorneys. So, we believe that this was two possible sources of revenues.

Currently, the DUI fine is \$300. We discussed upping that to \$450 which would bring in an additional \$500,000 in fees.

We also talked about something the State of Oklahoma is doing and that is creating crime lab fees.

We also talked about putting a fee in the analysis and the identification of suspected material that comes into the Lab. We believe by looking at the '91 figures that that would bring in an additional \$500,000 which is \$1 million. Running the Crime Lab now in Allegheny County costs approximately \$1.9 million to \$2 million.

May I say that at the meeting I felt very uncomfortable and I made sure that my position was very clear that I was not at that meeting, I could not speak for this body, I could not represent this body, and obviously I could not represent the City of Pittsburgh, and I could not represent Mayor Masloff. That is the reason I would like to make several motions here today, if I will, and then if there's other dialogue or other questions, hopefully I can respond.

The first motion I would like to make, Mr. Wagner, is that we send a letter to the Allegheny County State Delegation supporting any and all legislation that would raise the DUI fines and supporting any and all legislation that would establish fees for drug processing here in the City of Pittsburgh.

Mr. Ferlo:

Second for discussion. I would only ask that as part of that, as a friendly amendment if this is appropriate, I believe part of the issue also is

that in other counties State government does reimburse the County government for Crime Lab activities. That's not the case in Allegheny County; I believe that's part of Mr. Foerster's position.

I think on the other hand, as part of that motion, that the State Legislative body delegation from Allegheny County needs to be supportive of some State reimbursement in addition to any proposals, some of which have been outlined by Mr. Ricciardi, to raise fees either privately, doing private work, or raising the DUI fine or narcotics lab work.

Mr. Ricciardi:

I think Mr. Ferlo raises a good point. To the best of my knowledge, on the crime labs in Philadelphia and Allegheny County are not subsidized by State government. So, that is true. But, at the same time, I did look at the State budget and I can see Governor Casey is not going to fund it, so I would accept the amendment and hopefully with the amendment we could have more dialogue and it would pass.

Michelle Madoff:

I recently needed to use a lab to test some problem of pollution and I went to a private lab. I would have been happy to use our lab for a fee. It would not have been an inconvenience for me and I'm sure there are other people like myself.

Mr. O'Connor:

Gene, what is the total budget?

Mr. Ricciardi:

\$1.9 to \$2 million.

Mr. O'Connor:

And what is the City's share?

Mr. Ricciardi:

The City contributes nothing to the Allegheny County Crime Lab.

Mr. O'Connor:

Who pays for it now? Does the County pay 100 percent?

Mr. Ricciardi:

Right. And the County has said, and I believe it's not a bluff, that on March 1st, if the State government is not showing some sort of good faith, that they will close this lab.

Mr. O'Connor:

Well, if your fees are correct, you can pay half the bill right there.

Mr. Ricciardi:

That's correct. And Dave Marinek and Senator Belin, who I believe is from West Mifflin, will be presenting legislation and I was just hope that we could send this letter of support to our delegation.

Mr. O'Connor:

Are our State Legislators working in this with us or are they just --

Mr. Ricciardi:

Obviously, I don't know that answer. I do know that Marinek, Huck Campbell and Tom McClovik were at the meeting. They were very supportive. The Commissioners are supporting

their initiative. And I would hope our State Representatives, after receiving our letter, would see how important this is an move along the same grounds.

Mr. O'Connor:

Could we set up a meeting with them? Mr. Onorato, you're with Public Safety, and we could get a delegation of ourselves and get this thing rolling. We're only looking for less than or maybe a half million dollars to save it.

The Chair:

I'd like to make a brief comment. I have discussed this with Harry Kramer twice and I feel very confident under any scenario that the Crime Lab is not going to shut down.

I will support a motion like this; however, I think we are avoiding the issue again which is that Allegheny County and the City of Pittsburgh is not getting its piece of the pie from State government. And by us saying that we're supporting increases in costs and fees to support the need for a crime lab when, in fact, other counties get that service from State government, we are indirectly saying that we are accepting the fact that we're not getting our piece of the pie.

I personally am taking a firm stand on a lot of issues that it's about time that we do get our piece of the pie, including this particular issue.

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Ferlo	Mr. Onorato
Michelle Madoff	Mr. Ricciardi
Mr. Milliones	Mr. Wagner
	(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the motion passed finally.

Mr. Ricciardi:

On the same subject, Mr. Wagner. One other motion and then hopefully a request from the Administration.

I also found out there, and I was unaware, colleagues, that from the DUI fine which is presently \$300, \$150 goes to Allegheny County to help with jail over-crowding. The other \$150 is the responsibility of the Clerk of Courts to send this money back to the municipality where the arrest and conviction happened for the Operating Dollars, obviously covering for the police officers who have to testify.

Several police officials there, Chief of Police, were astounded to hear that because they never receive a cent and others have said that their payments have been lax. I do realize that from media reports that there has been some criticisms of the Clerk of Courts Office in the past.

I would like to make a motion that we send a letter to Mr. Turner of Mayor Masloff's Office to, number one, research to see how much monies came into the City of Pittsburgh from this \$150. And if money is not flowing, to immediately contact the Clerk of Courts Office to see how far back they are in paying us our fees.

Mr. Ferlo seconded the motion.

WHICH MOTION PREVAILED.

Mr. Ricciardi:

The last motion is just that I believe we have to be realistic here and we have to realize that we have to work in cooperation with the Masloff Administration and Mayor Masloff. We have made other motions in the past but, again, I'd like to make a motion that we send a letter to Mayor Masloff that she also support the motion supporting increasing the DUI fee and creating and establishing fees for analysis and identification of suspected materials. It's basically the same motion that we made but that she support our motion.

Michelle Madoff seconded the motion.

WHICH MOTION PREVAILED.

Mr. Onorato:

Mr. President, I'd just like to make a comment about Public Safety. And this is no reflection on Councilman Ricciardi's request today.

I have only been here on Council for five or six weeks so far and maybe I'm not familiar with how our Chairmanship of Committees work, but I virtually have zero communication with Public Safety, and I chair that Committee, unless I make the phone calls. I don't appreciate that. We had an issue last week dealing with the fire house. We have issues today dealing with the Crime Lab. If I don't call and start digging and trying to find things, I don't hear about meetings, I don't hear about issues, until they come to this table or to the Wednesday table.

I would appreciate it if the Administration

contacts me, I don't care if it's monthly or every two weeks, on any important issue that's going to come in front of this body. If I am not contacted and issues come before us, I will refuse to vote on them or I will try to block it in any way I can.

I feel that we should all be respected for what Committee we chair and I feel to date that it has been silenced, at least my Committee has.

Mr. Ricciardi:

Same issue, Mr. Wagner. I think Mr. Onorato raises a very good point. I think chairing a committee should be more than standing up, picking up a bunch of bills and handing them to our City Clerk. I think that's what Mr. Onorato is saying.

In my case, though, I want to apologize. I should have contacted Mr. Onorato concerning the Crime Lab. I found out at the last minute. As a matter of fact, I was very disappointed and surprised that no one from the Administration was attending that meeting, only our FOP President, and I'm sure that he was doing that on behalf of the Police Department.

It just shows the lack of communication that we have spoken about in the past between the Administration and Council, between the Administration and County government. In the end, it hurts one person and that's the taxpayer.

Mr. Onorato:

One further comment, Mr. President, and this is just a perfect example. The big issue of the Park and Walk that came out a few weeks ago. I understand that the Mayor presented this at that Saturday meeting and that was fine, and even the Chiefs weren't informed until that day. And I can understand her reasoning for doing that.

But after it was announced, there was a

plan to implement this and how we were going to decide what neighborhoods are covered. I found out because I happened to show up at the North Side Public Safety Council Meeting. If I didn't show up there, I would have no idea that we were using the Public Safety Council to decide and come up with a plan of how we're going to police these areas.

I chair Public Safety. I would appreciate it if I could have some input into maybe how we could implement plans like this.

That is just one example, and I feel to date that I have zero communication unless I initiate it.

The Chair:

On that issue. Maybe we need a reminder letter sent out to all departments, Mr. Perry, suggesting that a weekly meeting be held between the Councilmember chairing the Committee and the Director of that Department on upcoming legislation and other important matters pertaining to that Committee.

Michelle Madoff:

May I add to that? It may not necessarily be the person representing that Department. For example, I am going to talk about an issue in a moment about the Department of Aging. It is presently in Parks and Recreation, but it's something that I have initiated and worked with this Council and I would like to feel that anybody that initiates any legislation would be kept apprised of what is going on.

For the benefit of Mr. Onorato, I can just say, "Welcome to the club." There are two expressions that I have used over the years repeatedly, which are: When they want our opinion, they'll give it to us. And the other one is: We're kept like mushrooms in the dark and fed horse manure.

I think that that continues and the way I've learned to resolve it, and it took a long time but you might try this approach, and that is when you don't get the information you want, just schedule a post agenda or even a hearing with cameras, and then they have to answer your questions. That is the way you become effective. If you have to resort to that, you do.

Mr. Ferlo:

Mr. President, we have good directors and, unfortunately, we have some bad directors. I consider the Public Safety Director one of the bad directors. Half his day is spent getting an education so he can go on to another job and the other half of his day is spent messing up the Police and the Fire Bureau.

The Chair:

Mr. Ferlo, that's not the issue in front of us.

Mr. Ferlo:

It is the issue because part of the time --

The Chair:

No, it isn't the issue and I am going to say that we are not here talking about a director --

Mr. Ferlo:

We are talking about a director and part of the problem, Mr. Chairman, is that directors have to work. Communication is a two-way street. The Director's responsibility, part of the responsibility, is to communicate to the respective Council Chair of those Committees and be in touch with them.

The Chair:

As you know, I'm a very open person and I am open to suggestions and ideas. It's a two-way street, you're absolutely right.

Mr. Ferlo:

My suggestion is that Director Cannon should stop going to law school and spend more time doing his job.

The Chair:

A two-way street pertains to us also on Council in terms of communication, both ways on all issues. That's very important.

Mr. Ferlo:

I couldn't agree more.

Mr. Cohen:

Mr. President, on the issue of the Park and Walk Program. I think that that is an important enough issue that really all Council should be briefed, certainly the Chair of Public Safety should be briefed first and should have been briefed. That's a good point. But I think that's such an important issue City-wide that all of us should be briefed.

I would like us to set up something, it doesn't have to be a post agenda and it could be just in the form of a Council briefing. But that apparently is a program that the City is instituting City-wide in terms of community-based policing and maybe one of the most important issues facing the City. So, I think we should have a briefing from the Administration for all of us.

Mr. Ferlo seconded the motion.

The Chair:

Do you agree to that, Councilman Onorato?

Mr. Onorato:

Yes.

The Chair:

Good. Let's write a letter to that effect, Mr. Perry.

WHICH MOTION PREVAILED.

Mr. Ferio:

Very briefly, Mr. President, two brief things.

First of all, I know there's a bill up today I believe from Parks on a resolution from the Administration to increase the golf course fees and I just want to state very clearly that when they come to the table that we had amended the budget last year regarding an authorization authorizing the Administration to develop a request for a proposal regarding the Schenley Park Golf Course.

I'm not voting to increase fees until such time that I know a request for proposal is in place regarding privatization of the golf course. I think such a proposal could be more beneficial to the City in terms of cost. We could still have protection regarding transfer of employee rights. We would, obviously, never give up the property. But until such time that there's a plan in place regarding that issue, I'm just stating very clearly my concerns about raising any fees until we see what the total package is going to be.

I hope to discuss that issue the following Wednesday when and if the bill comes up and I'd

like to alert the Director to go back to the budget on that issue.

I know I have been approached by an entrepreneur regarding this request and I have referred that person to the Parks Director.

But I assume in supporting it in the budget, that a majority of Councilmember would at least like to explore whether or not that could be a possibility regarding the golf course.

Secondly, Mr. President, and I'll be very brief, late last year our former colleague, Mr. Regan, made good old Serg famous with his graffiti. I don't want to make this character famous. Serg had at least a little more taste. He went on public property and tried to be a little more expressionistic in his art form. I have some pictures here of not really art but just total outright vandalism in the Highland Park community on public property as well as garages, businesses throughout the retail area on Bryant Street and up in Highland Park.

The reason I mention this is that the Highland Park Community Club would like to put a notice out that they're offering a \$200 reward for any information. I assume it's one of the kids that hang out in and around the Bryant Street area in Highland Park.

There's no artwork here, it's just total vandalism. It's probably costing the private property owners, I would guess, five or six or seven thousand dollars to have what is probably ten or fifteen buildings repainted.

They're offering a \$200 reward, the Highland Park Community Club, and I did want to remind the public that when Mr. Pollock was here he did introduce a bill regarding graffiti. It does allow payment of up to \$500 to be paid by, if he ever comes to work, the Public Safety Director, for people who are arrested for

information leading to the arrest and conviction of graffiti, I won't call this guy an artist, but graffiti vandals.

So, I wanted to reiterate that information. There are pictures here. I'm not alone; I think every one of us has a problem with graffiti. I know Mr. Cohen has been very active in his community on this issue.

So again, I just want to put the notice out. This guy's name, or this lady's name, I don't know who he or she is, is CESNO. I have some pictures which just show how clear the vandalism is.

Michelle Madoff:

On the same subject. I was at my dentist the other day and they took me out the back to see the same kind of thing. They had already called the Police. And there seems to be the sense that it's the same person, the one that the Judge sentenced, or a copyist. The Police were to get back to me and let me know if indeed it was a copyist or what they were doing. Have you heard from them? Neither have I.

It's all over Oakland, Highland Park, Mount Washington, Downtown. Wherever there seems to be an inviting wall, this very sick person should be out there with acid, we'll give him the right gloves, of course, and maybe some goggles, scrubbing this off the wall.

I think we need to offer a substantive reward because the only way we're going to catch this animal is by offering an incentive of greed, somebody who is going to come in for the money and we're going to find it. We're going to find this is not \$7,000; we're talking hundreds of thousands of dollars in damage to this City, and it's got to stop.

Mr. Cohen:

Mr. President, on the same issue. I agree with Councilman Ferlo and Michelle that it's increasing, and it's increasing City-wide. In North Oakland and Shadyside, the tag handles right now are Prime and '92. It used to be '91; I'm glad to see that he has changed to '92. But it's out of control.

One of the things that's happening in North Oakland right now with the help of Preservation Pittsburgh and Councilman Ferlo is that a community group is being set up to just go out and erase this graffiti. Right now under the law, the property owner has to do that, but that is pretty onerous because they have to do it within ten days and, as Michelle said, it costs thousands of dollars.

We're working with Public Works and John Walluk, the new Public Works Director, has really been very helpful on this in providing the solution, the chemical solution, to go out and actually get the graffiti off of the boxes and the signs and the public property. That will be happening in the very beginning of the Spring.

But the other thing that I think we should all think about is toughening up the graffiti law. It's one thing that I'm looking into right now. The graffiti law in the City is weak. It does have a good reward portion, but what it says is that you cannot sell a spray paint can to somebody who has the intent of using it for graffiti, which makes no sense because, obviously, the person is not going to admit that he's going to use it for that purpose. Other cities have tougher laws and it's one thing I'm looking into and hopefully will be able to present it to Council soon.

The Chair:

If I may add to that, I agree that there can be tougher laws, but the fact still remains that

we're not enforcing the laws that are on the books.

The Serg individual and the sentence, as far as I see it, was ridiculous. The City has not pursued that individual and all the damage that that individual has done throughout the City. I have mentioned that to our Law Department and I would like to see them aggressively go after that individual, the person in Highland Park, and anyone else. If you don't, this whole City will be graffitied. It's not near what other major cities in this country are; we've all been to other cities and we've seen the damage, but certainly we have done nothing with people who have been identified such as Serg. And I can show you a dozen buildings that that individual has tarnished and there is tens of thousands of dollars of damage just from that individual. And this City has done nothing.

So, I am asking the Administration in a formal sense to please get aggressive with people who have been identified with graffiti. Instead of making them a reknowned person in this City for some artistic value of which I see nothing there that's artistic as long as they're damaging public property.

Mr. Cohen:

I agree totally, Mr. President. I'm sick of this being called art, really, by everyone. This is not art; this is defacement of public property. They should be getting their creative energies out in other ways but not by ruining people's property. The people who have to pay ten or fifteen thousand dollars sometimes to get their property cleaned up do not consider this art.

Michelle Madoff:

On another subject. On January 28th, after having several meetings with Jim Turner, I sent Jim Turner a very strong letter concerning the unanimous vote of this Council to rename the

Senior Citizen Program to the Department of Aging, and to create a Commission on Aging, which we appropriated \$50,000 to get a director to start channeling and coming up with innovative and creative ways to deal with the senior's programs for the 90's which are different from the 80's. That's all in these two letters so I'm not going to read them but I'll have them entered into the Record.

(BEGINNING - TWO LETTERS REQUESTED BY MICHELLE MADOFF)

A MESSAGE FROM COUNCILWOMAN MICHELLE MADOFF

Attached is a letter addressed to Jim Turner of the Mayor's Office. The following should clarify my actions.

Mayor Masloff and the Administration, for some reason unclear to me, objects to the creation of a totally separate "Department On Aging". Their vague allegations and concerns are that the department will drain tax dollars for programs they feel they are unable to fund and is steadfast in objecting to converting the funds presently allocated to senior programs to an autonomous "Department On Aging".

Confronted with this obstacle, nevertheless, I was determined to bring about a meaningful change in the direction of the current senior citizen programming. To this end, with the support of my colleagues, I took the only avenue open to me and re-named the present "Senior Citizen Program" to "Department On Aging".

At the same time in the budget I also created a "Commission On Aging", with a \$50,000 annual budget, which will provide for the hiring of a director. The Administration has pledged office space and support staff. The "Commission On Aging" will be a mechanism to restructure the current "Senior Program",

renamed the "Department On Aging", which will undertake innovative and enhanced services for seniors.

These services would include, but not be limited to, health screening, tax assistance, money management, legal advice, which should be provided through a public/private partnership with local universities. The new President of Pitt, Dr. J. Dennis O'Connor, has already indicated a desire to pursue this course of action. Private dollars from companies who seek the business of seniors must be solicited to help fund additional creative and innovative programs so that a "Department On Aging" will not seek additional funds from tax revenues.

The "Commission On Aging" would look to taking a leadership role to plan for accommodating Pittsburgh's constantly growing senior population. The "Commission On Aging" would provide advocacy, permitting seniors to have a stronger voice on major aging issues such as national health care.

I believe that in the near future the "Commission On Aging" and the "Department On Aging" will merge into one. I am personally committed to fighting for the rights and enhancements of services for all our senior citizens. The Administration has tied one hand behind my back, I'm doing the best I know how and if you support my efforts, please let the Mayor know how you feel by writing or calling:

Honorable Sophie Masloff
Mayor, City of Pittsburgh
513 City County Building
Pittsburgh, PA 15219
(412) 255-2626

TO: Jim Turner,
Chief Administrative Officer
Mayor's Office
FROM: Michelle Madoff
City Council
DATE: January 28, 1992
SUBJECT: Commission On Aging

I am concerned about the pace of the Mayor's progress in creating the Commission On Aging.

Because the needs of our growing senior population have changed significantly, I have proposed the ceation of a new City department that would enhance the services of the senior program through advocacy, public-private partnerships and programs developed by the senior population while maintaining the City's AAA contract with the County. The concept was to reorganize the existing staff and create a position and methodology to raise private dollars that would substantiate any increases in the Department's funding for additional programming. To accomplish this task the present senior program would be removed from Parks and Recreation and would become the Department On Aging at no additional cost to the City.

It is my strong belief that my proposal creating a department on aging is the proper course of action. Regardless of our technical differences, I expect that the Mayor will honor her commitments and move forward in implementing the proposal.

To address the Mayor's specific concerns about funding for such a venture, I created the "Commission On Aging", a transitional instrument, through a \$50,000 Budget Authorization in the 1992 City Budget. The purpose of this temporary entity was to assist in the creation and guidance of a new Department On Aging. Logically, the Commission On

Aging, having restructured the Senior Citizen Program, would merge into one and form the new Department On Aging.

A separate autonomous program for seniors requires a director who will structure and develop future programs. My purpose in creating a Commission On Aging is to finally begin addressing the concerns expressed repeatedly to the Administration and Council by the senior citizens, particularly their representatives Sam Valicente and Joe Lucas.

The seniors have indicated to me a loss of faith with the Administration; their perception is that the Administration is foot-dragging, hoping the issue will fade into oblivion. In acting on Council's \$50,000 appropriation for a director, it is imperative that all delay tactics cease and we immediately appoint a director to get on with the job. The Mayor's formal commitment to provide office and staff support must be underway by the first of February.

I am deeply committed to this program. I understand how being involved and active keeps one young. The irony of a septuagenarian Mayor failing to act on the growing need for innovative and responsive programming for her fellow senior citizens is not lost on many seniors. We need more than bingo and fingerpainting.

We who are anxious to get on with this program ask that there be no further delays.

(END OF LETTERS)

Michelle Madoff:

We have just finished and will be releasing, and I want to release it to my colleagues before anybody else, this statement that concerns us because we voted on it. I'd like to read it into the Record, if I may.

Incidentally, before I read this, I realize and I think it's important for any seniors or anybody listening out there who may be watching Council that this is not a sexy issue. The media doesn't think it's terribly important. It does represent almost 25 percent of our population but it doesn't get any coverage for whatever reason because it doesn't seem to be too important. So, at least perhaps by bringing it to the attention of those who may be watching us and my colleagues, we may come up with some way of making this a reality. It was our wish and our vote.

"I'm concerned about the foot-dragging and bureaucratic delays by the Administration in complying with the wishes of Council to establish and staff the Commission on Aging.

At a meeting I convened on January 16th, and this was after many meetings with the Administration, attended by some 20 seniors, Jim Turner, Reggie Young and staff, the representative group of seniors, by a unanimous vote chose a Director who seemed to be acceptable to the Administration subject to the Mayor's approval. We walked out of the meeting assuming we had a Director, the present head of the Senior Citizen Program for the City of Pittsburgh.

Now, at this date, it appears that the Administration is attempting to bypass their choice, the choice of the seniors, seeking an outsider who could not possibly be as familiar with the needs of the seniors as the present head of Senior Programming, who is also intimately familiar with the contractual commitments and obligations the City has with the County Agency on Aging, which is a source of funding for a senior program."

You have to look at the other two pages that talk about the fact that we're not looking for extra money and what we want to do. I didn't go

into that in my summary.

"It is obvious that the Administration does not consider the wishes of nearly a quarter of our population who are senior citizens a high priority. If there was a sincere desire to join with me and to join with Council in implementing their needs for the 90's, the Administration could have created a Mayor's Commission on Aging, similar to the Mayor's Commission on Women, or Philadelphia's Mayor's Commission on Literacy. The legislation passed by Council would not have been necessary.

The leadership representative of the senior citizens in our City appeared before Council during the preparation of the 1991 budget and again in the 1992 budget requesting allocations and a revamping of priorities and direction for Pittsburgh's aging society. They pleaded for the creation of an independent Department of Aging. When the Administration was determined to revamp the Fire Department, it was done in the blink of an eye.

It is obvious they're trying to pacify Council by appearing to be moving to bring about reforms. I feel I'm being patronized and Council is being paid lip service. The time for action is long passed.

We didn't name it the Department of Aging because we expected implementation to take years."

Now, I have every reason to believe that this is bureaucracy at its worst, that I am being paid lip service, that I'm being mollified. You know, let's give her something to take care of her. I sense that.

I can sense that there has been some interaction with my good friend, Mr. O'Connor. I hope he doesn't get used in this. There are some meetings being planned with the County

Department of Aging. I know you have a meeting; I have one with the Director coming up. I was going to invite you; you didn't invite me but I'm inviting you to my meeting.

I think it's terribly important that we pull together as one and that we see that this program is implemented. I say that not because I am a silver fox and a senior citizen, but we're all headed in that direction. And, as I said, it's not a very sexy issue. It doesn't lend itself to headlines or reporting. It's not really important. So, we don't worry about the media. We go ahead and make it happen and I need your help.

I just had my aide on the phone trying to find out why the advertisement they were going to run last week, last Sunday, was not promulgated. Was it done this past Sunday? And we just got word that there's going to be a meeting on Thursday. Is this with you, Mr. O'Connor, because it isn't with me? I'm sure we're going to get all the reasons why. This is terrible. And how it's going to need money from our taxpayers.

Well, read what I said on the other two pages because we discussed this in depth and we made a commitment that monies would not come from the taxpayer, it would not come other than from the City of Pittsburgh coffers. For example, I went to the Symphony and there was an ad, I believe, by Beecham Company. I think I read it to you once before. It said that they support the Symphony for Seniors. There are tickets available.

We had a meeting, all of us, and I don't know if the reporters know that we met with Dennis O'Connor. What did he say? I think you set the meeting up, did you not, Mr. Wagner? You were responsible for that excellent meeting. But they want to give us in kind services. We could see some, perhaps, screening through that process; you know, high blood pressure, cholesterol, etc. The monies that we pay now to

do it could be channeled in other directions.

Who knows better what the seniors need than the seniors, and these were very vocal, very active, very representative people of the senior program. And I might add to my colleagues, they vote. And maybe Sophie doesn't understand it; she's a senior citizen -- she may think she's fifteen, she's not -- but you know, they vote and they're watching. I'm taking the leadership in this, Sophie, so do what you want to do.

Mr. Ferlo:

Mr. Clerk, when is the 30 day time period up regarding Michelle's re-introduction of the Department request

Mr. Perry:

About two weeks.

Mr. O'Connor:

I'd like to make one slight correction, Michelle. I have not been invited to any of your meetings on this, and I call on you today that maybe we can meet with Mr. Turner and Reggie Young. I heard you had meetings, but I have never been invited to them.

I have been invited to next month's senior citizen meeting, so I would like you to come with me so that we're all on the same --

Michelle Madoff:

If you say "same page" I'm going to be very upset. It's going to sound like Reggie Young.

Mr. O'Connor:

We're all on the same track, I would hope.

I do have weekly meetings, I have started them with Mr. Young since I'm on the committee, but I haven't been to your meetings.

Michelle Madoff:

Let's clarify that. It was my intention when I introduced this legislation to have an autonomous, separate Department of Aging and to remove it from the Department of Parks and Recreation. And I went to you very up front and told you that. Is that not true? I didn't do this behind your back; I told you that. You started meeting with people because you felt, and perhaps rightfully so, that this was at the present in your department and therefore you wanted to stay abreast of it. But, as I repeat, all of us want to stay abreast of it. Every Member of Council has a vested interest in this.

It was not my idea to bypass you on that. It was my issue. We were having a preliminary meeting, I thought things were going to move ahead. The Administration was giving us facilities, some staffing, office space, some secretarial backing. But it seems to me that it doesn't have the kind of priority that redoing the Safety Department or doing the Fire issue has. It is not my intention to bypass you any more than it would be to bypass any Member of Council.

I really believe that the Department of Aging and the Commission on Aging should be one, and frankly, it should not have been here; it should have been created in the Mayor's Office originally. That's where it should have been if they wanted that kind of control.

If I offended you, I apologize publicly because that was not my intention. It was my issue that I was moving forward as quickly as I could and I feel that the kind of interaction, and I know for a fact, that they have gone to you and tried to sort of get you to slow the process down. I know it has happened. I know it's been said. I

have my own CIA like you have yours. I've been here 13 years. And if I may borrow a phrase from Mr. Young, we do need to work on the same page, but in the direction of helping people, not in a bureaucratic way.

Mr. O'Connor:

Well, let's have you and I meet together with them. That way we won't have any -

Michelle Madoff:

And all of Council. And the reporters.

Mr. O'Connor:

Anybody is welcome to attend.

You brought me the information on that meeting and I thought it was very good results that you informed me of. Just out in the hall, I heard that they were going to run this ad and you walked by when I was being told about it.

On the Schenley Park golf issue, bids were presented yesterday, Mr. Ferlo, and they are going out for privatization. I'm not sure if I agree with it or not but I'd like to see what the results are to see what other proposals they have.

In the meantime, though, this legislation is new to me, too, today. I have a citizens committee, primarily some golfers, and we're looking into cutting the losses there. We are losing money. I'm waiting for the P & L's from the golf course. We would like to market it better and we have enough volunteers. We would like to make better use of that golf course, in the meantime, for women, young kids, teenagers, high schools, and move it around and make it the viable City element that I think it should be. Anybody is welcome to help in that. I'm sure we're going to have a public hearing on it.

The Chair:

There has been a petition received in the City Clerk's Office requesting a hearing, so yes, we will have a hearing on that.

Mr. Ferlo:

Can I just make a comment, Mr. President? First of all, I'm not a golfer and I'll defer to Mr. Wagner on golf because he has a big fundraiser every year for Sharing and Caring and he does a lot of good work. I don't know a lot about golf, but I do know that I resent charging little kids to swim in our pools. I'd rather see a cost savings on Schenley Park Golf Course so we can free up money so we could actually have productive use of our swimming pools for the two months that they're open.

But Mr. O'Connor made reference to the request for proposal. It's that very document that I hope the Administration will share with Council before they get any notion that they're going to enter into an agreement with anybody. We want to have input on what the scope of services, what that request for proposal is.

I don't know a lot about golf, but I know Mr. Wagner and others do know about golf. I've had people come to me and say that the area needs a, I call it a shooting range, it's a golf range -

The Chair:

Driving range.

Mr. Ferlo:

Driving range, not a shooting range. I'm used to Highland Park. People are complaining to me about the shooting down at the Police Academy.

But the point is, there's a lot of expertise on Council and I hope that at the appropriate time the Administration shares with us the request for proposal before they go out. That's the implication of Council's budget authorization. Thank you.

Mr. Cohen:

Very briefly, Mr. President. Thank you, by the way, for the report, Councilman O'Connor. It might make some sense to try to bring all these issues together around the public hearing. I don't know when the public hearing is scheduled, but it may make some sense to have the bill and the RFP and all these issues brought together and have the director respond to it in a public hearing.

Michelle Madoff:

I offer this in good faith. It might not be a bad idea to talk to Mike Perry. Mike has saved us thousands and thousands of dollars by modernizing his department and doing our printing. But what he has also put into his office is a computer system where you can find previous data on previous hearings, what was said, who said what to whom, what the Administration had to say. There's transcripts all over the place; they go back a long time. It's like the hearing we're going to have Thursday about bringing people Downtown to live. I've been to six of those.

I think I have been to at least five hearings on the golf course and one of the problems you don't want to get trapped in is the senior citizen golfers like this little private country club and they're my friends and they're going to vote against me and they're really out to kill me. That's

the way it is. But the tax dollars that have been allocated in this non-productive situation --

My suggestion before you get mixed up, read the material. It's available to you. I think you'll get a feel for what has happened today.

Mr. O'Connor:

I don't know what the material says, but the golf course hasn't changed. My intention, if it stays in our hands, we're going to have to change it to make it a better place. If it goes private, that's another story.

Michelle Madoff:

But what you're going to find is that we tried to make it go private during the budget hearings. We talked about it --

Mr. O'Connor:

It's not going to go private unless somebody decides, and so far nobody decides --

The Chair:

Let's discuss this in great detail when the issue comes in front of Council.

Michelle Madoff moved to approve the Minutes of Tuesday, January 21, 1992.

Mr. Cohen seconded the motion.

Which motion prevailed.

And on the motion of **Mr. Cohen**

Council adjourned.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXVI

Tuesday, February 18, 1992

No. 7

Municipal Record

ONE-HUNDRED TWENTY-SEVENTH COUNCIL

JACK WAGNER President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER.... Asst. City Clerk

Pittsburgh, PA
Tuesday, February 18, 1992

PRESENT:

MR. COHEN	MR. O'CONNOR
MR. DARKINS	MR. ONORATO
MR. FERLO	MR. RICCIARDI
MICHELLE MADOFF	MR. WAGNER
MR. MILLIONES	(Pres't)

The Meeting was opened by the recitation of the Pledge of Allegiance to the Flag of the United States of America, and a moment of silent prayer for peace throughout the world.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Darkins:

Mr. President and colleagues on Council, I would ask that the Reverend George Fitch, his wife and anyone that he desires to come forth, please. The whole A.M.E. Zion if you want to.

Being that this is Black History Month and it's being celebrated all over the United States, it's with great pleasure today to take out time to honor one of our most outstanding community leaders, religious leaders here in the City of Pittsburgh and Allegheny County.

Mr. Darkins presents

No. 287 WHEREAS, the Reverend George A. Fitch, D.D. was appointed Pastor of Homewood A.M.E. Zion Church on March 6, 1967; and

WHEREAS, Reverend George A. Fitch was awarded the Doctor of Divinity in 1981 from Livingstone College through Hood Theological Seminary; and

WHEREAS, Reverend George A. Fitch completed his seminary training at Golden Gate Theological Seminary in Berkley, California and was ordained in 1945; and

WHEREAS, under the leadership of Reverend George A. Fitch, Homewood A.M.E. Zion Church has grown from a dwindling

membership to a community empowered congregation; and

WHEREAS, Homewood A.M.E. Zion Church is committed to inspire and encourage youth to become today and tomorrow's community and church leaders; and

WHEREAS, Homewood A.M.E. Zion Church teaches to take responsibility for self and community; and

WHEREAS, A.M.E. Zion Church instills that all people are contributors to fulfilling the goals of the Creator; and

WHEREAS, the Reverend George A. Fitch has served as President of the Board of Directors of Operations Better Block, Inc. and the Better Block Development Corporation for seventeen years and is a past member of the Pittsburgh Human Relations Commission; and

WHEREAS, throughout the years, the Reverend George A. Fitch has been honored by many organizations for his contributions and dedicated service to mankind including KDKA-TV2 Time To Care, For Kids Sake, the Annie L. Anderson Missionary Dedicated Service Award, and the Gallant Ladies Charity Club Minister of the Year Award.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh recognizes Reverend George A. Fitch as a humble community hero whose wisdom and guidance encourages us to "Overcome Boundaries".

Mr. Darkins moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Reverend Fitch:

I'm very grateful and I'm very humbled in this recognition. It further encourages me to keep up the good work and to fulfill one of our mottos, "Look up as we live and drift as we climb." May God bless you all.

Mr. Darkins:

I would ask that the honorees of this next resolution come forward, please.

Today, it was brought to my attention that these women are women directors in the City of Pittsburgh. And being that they're African American women, I feel that they should be honored for Black History Month.

Mr. Darkins presents

No. 288 WHEREAS, African American women have established themselves as leaders in the areas of medicine, business, community outreach, mental health and administration; and

WHEREAS, Alice Cooke, L.S.W., Program Director for Western Psychiatric Institute & Clinic Hill House Satellite Office, has been in the Mental Health profession for twenty years healing minds and attitudes; and

WHEREAS, Angela Ford, Center Coordinator for Alzheimer's Outreach Center addresses the needs of families who have been touched by the disease; and

WHEREAS, Barbara Hale, Director for the Hill House New Opportunities for the Aging cares for Senior Citizens who are the foundation of our communities; and

WHEREAS, Bisi Hightower, Project Director for the Dolores Howse Treatment Center, House of the Crossroads, provides a

haven for those wanting to be free from addiction; and

WHEREAS, Gail Hunt, Executive Director of Project "90", Inc., teaches minority youth the value of education and encourages higher education through a comprehensive educational program; and

WHEREAS, Fran Johnson, CRNP, Program Director for Magee Women's Hospital Hill House Satellite office provides medical care for community residents; and

WHEREAS, Joann Monroe, Director for Pittsburgh in Partnership with Parents reinforces parenting skills and exposes career opportunities to young parents; and

WHEREAS, I. Vell Truehart, Program Director for Pittsburgh Community Services, Inc., gives funds to organizations committed to community and lifestyle empowerment; and

WHEREAS, Gladys Valentine, Director for The Hill House Association Child Care Center, surrounds children daily with their bountiful culture and heritage; and

WHEREAS, for 20 years Carrie Underwood, Director of "Right Start" has dedicated her time and skills in the survival of the family unit in Pittsburgh and Allegheny County.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh salutes The African American Women who have excelled generation after generation becoming beacons of achievement and inspiration.

Mr. Darkins moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Speaker:

I would just like to thank Councilman Darkins for paying us this tribute this morning. I would also like to thank the staff at Hill House, Jim Henry who is the Director of Hill House. Thank you very much.

Mr. Ferlo:

I'd like Rick McKenzie and Ann Dugan to come forward, please.

Mr. Ferlo presents

No. 289 WHEREAS, the Pennsylvania Small Business Development Centers (SBDC) are a statewide network of small business centers designed to provide comprehensive, confidential management analysis and technical assistance to the small business community free of charge; and

WHEREAS, small businesses in and around Pittsburgh, particularly service/retail businesses, have been provided free business consulting services by two SBDCs located at the University of Pittsburgh and Duquesne University; and

WHEREAS, in 1991 the General Assembly appropriated \$1.95 million for the SBDCs but has identified \$1.35 million of the SBDC's appropriation to be held in "reserve" against the possibility of a revenue shortfall; and

WHEREAS, the State funds are used to leverage a match of three additional dollars of federal, university and private sector funds for every State dollar contributed; and

WHEREAS, Governor Casey's action to reserve \$1.35 million dollars in the SBDC budget in effect cuts the SBDC program by 70% and will

result in a loss of matching funds, all of which amount to \$8.8 million for statewide small business assistance; and

WHEREAS, Governor Casey's freeze will have disastrous results for the SBDC program - it will force the closure of all 70 outreach locations, all satellite centers, several smaller SBDCs, and the elimination of special programs like international trade, procurement assistance, and minority business programs, and cut staff by at least one-half at the remaining centers; and

WHEREAS, Governor Casey's freeze will force the Duquesne University SBDC and the University of Pittsburgh SBDC to immediately reduce by 50 percent the free consulting services provided to small service/retail businesses located in and around the City of Pittsburgh, in particular the Hill District, Homewood and a new project in Northview Heights.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby denounces Governor Casey's action to freeze the operating budgets of the Pennsylvania Small Business Development Centers, and to forego millions of dollars in federal, university and private sector matching funds; and

BE IT FURTHER RESOLVED, that the Council calls upon Governor Casey to take immediate action to restore full funding for the Pennsylvania Small Business Development Centers Program.

Mr. Ferlo moved to adopt the resolution.

Mr. Milliones seconded the motion.

Which motion prevailed.

Mr. Ferlo:

I'd like Rick McKenzie who is the Consulting Manager from Duquesne University Small Business Development Center as well as Ann Dugan who is the Consulting Manager at the University of Pittsburgh Center, to say a few words.

But, let's be clear; all of Council has been very supportive in the last many years with the Small Business Community. We have recognized the importance that small businesses play in our economy, both locally and throughout the Commonwealth, and this policy is obviously penny-wise and pound-foolish.

Politicians at the State level get up and spew rhetoric about the small business community being the backbone of our economy. Here's a great example where a few dollars in State funds go a long way to garner private dollars from the small business community as well as university commitment, and it makes no sense. It is not only not sound public policy from an economic point of view, but if we look historically at the generator of jobs in the Commonwealth, it's from the smaller business community.

I look back at the \$80 million plus that was invested by the Shapp Administration and subsequent Administrations in the VW Plant. It basically lasted 9-1/2 years. I think we need to begin to question whether or not it's better to have one big plant that produces several thousand jobs but only for a half a decade, or whether it's better to target and really put resources into the smaller business community which really has not only provided opportunities for women and minorities but also really has made more of a dent in providing meaningful employment for people here in the City of Pittsburgh.

So, I'd like Rick and Ann to say a few

words and I'd also ask the President that we forward the proclamation to the Allegheny County Delegation, the House and the Senate.

Mr. McKenzie:

Thank you. On behalf of Duquesne University, the Small Business Development Center and Dr. Mariam McKenny, the Director of our Center who was supposed to be here this morning but is under the weather and sends her regards, we would like to thank the entire City Council for this resolution as well as your continued support of our program.

We pride ourselves in our role as a leader in the economic development field, particularly here in the Pittsburgh area. This latest cut by the Governor will have a major impact on our program and the amount of free services that we do provide to small business owners.

Just in terms of a background as to the amount of impact that this cut would have, in 1991 let me just give you a little bit of a numbers background on the amount of services that we do provide. For Southwestern Pennsylvania, in 1991, 1,816 businesses were served, which translates into 14,418 hours of free consulting services. That also translates to our clients received 7,300,000 in terms of capital. That all translated into an amount of jobs, as the Councilman said. The major producer of new jobs is small businesses.

Once again, we'd like to thank City Council for this resolution and all of their support.

Ms. Dugan:

I'd just like to add a little bit to that. I'm from the University of Pittsburgh Small Business Development Center and I have been covering the neighborhoods of this City for many years as a consultant and providing services to your

community. In particular, I noticed that there were a lot of individuals here from Homewood and we've had a two-year project in business development in Homewood with our Director, Clarence Curry.

I'm here to tell you that there's a lot of groups out there as far as economic development goes that are servicing the manufacturers of Pennsylvania. We are the only university-based group that will service retail, provide business assistance to service and retail businesses as well.

Those are the businesses that take less capital to open.

It's easy to go into a manufacturer and be able to claim credit for saving 500 jobs. That gets a lot of press and a lot of action. But it's the little retail and service businesses that are providing the jobs. They might have three or five employees but those are the ones that need help and should the Small Business Development Centers close and leave the State of Pennsylvania entirely, it will leave a big gap here in those services. Right now the Small Business Development Center system is nationwide and should Pennsylvania lose that system it would really be a shame because of our ability to leverage State dollar and matching Federal dollars.

Thank you for your time and attention today.

Mr. O'Connor presents

No. 290 WHEREAS, for nearly a decade the Hazelwood Development Corporation and its President, Earl Jones, have worked tirelessly and unselfishly to enhance the quality of life for the residents of Hazelwood and in doing so raised the quality of life of all citizens of the City of Pittsburgh; and

WHEREAS, the Hazelwood

Development Corporation was instrumental in a successful effort to cause the removal of blighted and otherwise unsafe buildings in Hazelwood; and

WHEREAS, on January 11, 1992, the Pittsburgh Firefighters Union, Local 1, and its President, Joseph King, saw fit to honor Earl Jones for his efforts to make Hazelwood a safer community in which to live and work and for his contributions toward the reduction of life threatening hazards to the City's Firefighters; and

WHEREAS, on February 18, 1992, in the spirit of cooperation and in recognition of those in City government who have assisted Hazelwood Development Corporation in attaining their goals, namely Dominic Cimino and Kenneth Seicak of the Bureau of Building Inspection, Earl Jones will share full measure of the honor received from the Pittsburgh Firefighters Union with them.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh congratulates Earl Jones and the Hazelwood Development Corporation for their outstanding public service to the citizens of Pittsburgh and, furthermore, we are encouraged and pleased by this example of a community-based organization working in concert with labor and City government to make the City of Pittsburgh a better community in which to live.

Mr. O'Connor moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. O'Connor:

It gives me great pleasure to honor all four of these fellows and I'd like to bring Earl Jones who has not only helped the Hazelwood area but

has helped the whole City and is very active in many, many causes for all people of Pittsburgh. Earl, congratulations.

Mr. Jones:

Thank you very much. I'm honored to be here today. When I received an award from the Firefighters, the Hazelwood Development Corporation was very glad to receive it but we could not receive that award without acknowledging other departments that had a great deal in achieving this award. So, when Joseph King gave me this award, I sent him back a letter saying that I won't accept it unless I could give recognition to the City Building Inspectors because they deserve the award for taking these dilapidated buildings down and saving the lives of others, and I'd like to thank everybody that was involved.

They once asked me, "Do people really care?" Well, I imagine if they'd look up here today and see Bob O'Connor, Joseph King, Dominic Cimino and Ken Seicak, the answer would be yes, people do care, and I'm fortunate to have these people as my friends. It makes my job a lot easier.

Thank you very much and maybe I could turn this over to Joseph King and Mr. Cimino for a minute.

Mr. King:

Thank you. Just very briefly, it's not often that my organization has the opportunity to share in a resolution of recognition of a community leader, and for this I thank you for this opportunity.

But, Mr. Earl Jones has worked for the last decade in improving the Hazelwood area of the City and has worked very diligently in trying to correct the unsafe environment that

Firefighters face every day in that community.

It's with a degree of sincere appreciation and gratitude that we recognize Mr. Earl Jones for his continuing involvement in work in the Hazelwood area and hope he will continue in the future. Thank you.

Mr. Cimino:

I thank Council and Earl Jones on behalf of the Hazelwood Development Corporation for recognizing the Bureau of Building Inspection and their efforts to help to provide for the safety and welfare of the community of Hazelwood. We'll continue to be responsive to the neighborhood's complaints and do everything within our power to enforce the many ordinances that are applicable to the City. Thank you.

The Chair:

Thank you all.

Mr. Onorato:

I'd like to call up Karen Muscia and Scout Pack 327.

Some of the dates might seem a little awkward here because this is sort of after the fact.

Mr. Onorato presents

No. 291 WHEREAS, Cub Scout Pack 327 is sponsoring the annual "Blue and Gold Banquet" on Sunday, February 9, 1992 at the St. Francis Xavier Recreational Center; and

WHEREAS, Cub Scout Pack 327 has been in existence for approximately 16 years; and

WHEREAS, Pack 327 received "The Mayor's Cleanup Project Award", an honor presented for cleaning up vacant lots in the

Woods Run area; and

WHEREAS, Pack 327 came in first place five out of six years for collecting the most food in the "Scouting For Food Program"; and

WHEREAS, Pack 327 planted trees along the East Street Expressway enhancing the highway; and

WHEREAS, Pack 327 is also a "Handicap Unit" which means that the pack accepts any child no matter what handicap the child may have.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby proclaims the week of February 9-15, 1992 as "Cub Scout Pack 327 Week" in honor of all the Scouts in Pack 327.

Mr. Onorato moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Onorato:

I'd just like to make a few comments outside of the resolution. We hear a lot of problems about the budget, about clean up, about our lots; well, here's a group that doesn't cost the City a penny and they're out there working very hard in some of the areas on the North Side where we need clean up. Any time that you see the negative problems of the youth of America, I can tell you that this is the future of America and it looks pretty bright to me. I think that we should support any groups in our community that do these kinds of projects. There's a lot of good out there that seems to be overlooked a lot of times.

I would like to ask any of the guys who want to speak to come up. Well, I think their

actions speak for themselves.

Karen, how many could not make it today?

Ms. Muscia:

The women.

Mr. Onorato:

That's the Girl Scouts. They're coming next.

There's 38 that are in this pack. A lot of them are in school today; a few of them were lucky enough to come down and represent the whole organization.

Mr. Ferlo:

Are they going to work this year again in the City clean up in April?

Mr. Onorato:

Sure. I saw them on the hillside of the East Street Expressway. I'm surprised you made it up some of those cliffs; I was pretty impressed.

Thank you, guys.

The Chair:

Thank you all.

For the final resolution, I'd like to ask Dr. Ogle Duff and Inez Miles to please step forward to receive it.

The Chair presents

No. 292 WHEREAS, in 1908, Alpha Kappa Alpha Sorority was founded at Howard University in Washington, D.C. by Ethel

Hedgeman Lyle along with eight of her friends, Beulah and Lillie Burke, Margaret Flagg, Marjorie Hill, Lucy Slowe, Marie Woolfolk, Anna Brown and Lavinia Norman, to serve as an instrument for enriching the social and intellectual aspects of college life; and

WHEREAS, Alpha Kappa Alpha Sorority was America's first Greek Letter organization established by and for Black Women; and

WHEREAS, in 1913, Alpha Kappa Alpha was incorporated as a perpetual body and became the channel through which selected college-trained women improved the social and economic conditions in their city, state and the union; and

WHEREAS, this tradition continues today and Alpha Kappa Alpha cultivates and encourages high scholastic and ethical standards, promotes unity and friendship among college women, alleviates problems concerning women, maintains a progressive interest in college life and serves all mankind; and

WHEREAS, the Alpha Alpha Omega Chapter will observe the Anniversary of the founding of Alpha Kappa Alpha Sorority, Inc. during the weekend of February 21-23, 1992, with a workshop at the University of Pittsburgh and luncheon at Christopher's featuring keynote speaker Mary Shy Scott, the International President of Alpha Kappa Alpha Sorority; and

WHEREAS, the theme of this year's celebration is "Color Me Woman" which will focus on all women networking.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby proclaims the weekend of February 21-23, 1992 as "Alpha Kappa Alpha Weekend" in the City of Pittsburgh in recognition

of this historical and valuable sorority.

Mr. Milliones moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

The Chair:

Thank you, Members of Council. It's an honor to have these three ladies with us today, Dr. Ogle Duff, Inez Miles and Ms. King, all of which serve on this committee for Alpha Kappa Alpha. Dr. Duff is going to say a few words representing the group and telling us what's going to happen.

Dr. Duff:

On behalf of Alpha Kappa Alpha Sorority, Inc., Janet Johnston, our President who could not be with us today, Mary Shy Scott, our International President who will be with us this weekend, and the over 100,000 women who are members of Alpha Kappa Alpha Sorority, it is our pleasure to receive this proclamation.

Our theme for this year, this founder's weekend, is "Color Me Woman" collaborating for the 21st Century. It is an opportunity for the membership to do an outreach project for all women to participate in these activities.

At the University of Pittsburgh on Friday, February 21st, we will have what we are calling Cultural Exchange Dialogue. We will have table talks where women with various expertise will be addressing topics and other women will have an opportunity to interact with them.

The appeal is to women from a cross section of our community. African American women, Caucasian women, Asian American women, Native American women, women from a cross section culturally, religious groups as well

as social economic groups, have been invited to participate in this activity.

Following the Cultural Exchange Table Talks there will be a reception.

On Saturday, as Councilman Wagner said, we will have a luncheon at Christopher's. It is open to the public but there is a charge. The Friday activities, you're our guest. So, we welcome any and all people who wish to join us on this occasion.

Thank you very much for your attention and for inviting us to participate here.

Mr. Cohen presented

No. 255 An Ordinance amending the Pittsburgh Code, Title Nine, Zoning District Map No. 11 by changing from "R3" and "R4" Multiple-Residence Districts to "R2" Two-Family Residence, "R2-T" Townhouse Residence, and "C3" Commercial Districts certain property generally bounded by Penn Avenue, Roup Avenue, Coral Street, South Graham Street, Friendship Avenue, South Atlantic Avenue, South Pacific Avenue, Amboy Street, Amboy Way, Harriet Street, Cordway Way, Gross Street and Goodwood Way; 8th Ward, Council District No. 8.

Which was read and referred to the Committee on Planning, Housing and Development.

Mr. Cohen moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Darkins seconded the motion.

Which motion prevailed.

Also,

No. 256 Resolution amending Res. No. 507 effective May 30, 1991 as amended by Res. Nos. 706, 956, 1148, and Res. No. 1221 of 1991, for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1991 CDBG Program," so as to reprogram funds under City Council."

Also,

No. 257 Resolution amending Res. No. 637, approved July 27, 1984, entitled "Providing for the implementation of a Residential Sticker Parking Program in the Oakland community pursuant to Pittsburgh Code, Chapter 549", so as to amend the parking management plan which provides for two (2) hour time limitations on parking in Area "C", with the exception of Dunseith Street which shall be restricted to one (1) hour.

Also,

No. 258 Resolution amending No. 636, approved July 23, 1986, entitled "Providing for the implementation of a Residential Parking Program (RPPP) in the Allegheny West community pursuant to Pittsburgh Code, Chapter 549", so as to expand the streets included in the existing Allegheny West RPPP Area "G".

Also,

No. 259 Resolution amending Res. No. 9, effective Feb. 3, 1992, entitled "Resolution providing for the authorization and transfer to the General Fund of the City of Pittsburgh for reimbursement of Salaries and Indirect Costs for the Community Development Block Grant Program", so as to separate the costs into Salaries and Indirect Costs of CD.

Also,

No. 260 Resolution amending Res. No. 699, eff. July 20, 1990, entitled "Resolution providing for an Agreement or Agreements with the Three Rivers Center for Independent Living for the rehabilitation of their basement for use as a multi-purpose center, at a cost not to exceed \$7,000.00," so as to change the purpose and use of funds to purchasing of office equipment and furniture.

Also,

No. 261 Resolution amending Res. No. 1406, eff. December 31, 1990, entitled "Providing for an Agreement or Agreements with the South Pittsburgh Economic Revitalization Team for distribution to Neighborhood Block Watches in Council District No. 3 at a cost not to exceed \$2,320.00," so as to change the purpose of the resolution from "Block Watches" to "administrative/operating costs for job development and economic development activities."

Also,

No. 262 Resolution amending Bill No. 118, passed in Council February 11, 1992 (Resolution No.), entitled "Providing for an Agreement(s) with the Three Rivers Employment Agency for program support," so as to increase the amount appropriated from \$5,000.00 to \$10,000.00.

Also,

No. 263 Resolution authorizing the URA of Pgh. to acquire all of the City's right, title and interest, if any, in and to the publicly-owned property in the 22nd Ward of the City of Pgh. designated in the Deed Registry Office of Allegheny County, as Block 23K Lots 342 and

346, under the Residential Land Reserve Fund.

Also,

No. 264 Resolution approving execution of a Contract for Disposition of Land by and between the URA of Pgh. and Arch court Associates for the sale of Block 23K Lots 342 and 346 in the 22nd Ward of the City of Pittsburgh (CONSTRUCTION OF EXTENDED ATTENTION FACILITY).

Also,

No. 265 Resolution approving execution of a Contract for Disposition of Land by and between the URA of Pgh. and the Buncher Company for the sale of Lots 301 and 302 in the 6th Ward of the City of Pittsburgh (WAREHOUSE).

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Darkins presented

No. 266 Resolution providing for the rental of two (2) charter buses for elderly city residents to attend a lobbying effort in Harrisburg, PA on March 11, 1992, in support of a ceiling price on prescription drugs, at a cost not to exceed \$2,000.00, chargeable to and payable from Code Account 1001-1, Misc. Services, Supplies and Equipment. --(SPONSORED BY MR. DARKINS)

Which was read and referred to the Committee on Parks and Recreation.

Mr. Darkins moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Also,

No. 267 Resolution providing for the issuance of a warrant in favor of Lanier Worldwide, Inc., in the amount of \$502.50 in payment for supplies for upkeep of Bureau of Refuse Fax Machine, chargeable to and payable from Code Account 1172, Supplies and Materials.

Which was read and referred to the Committee on Finance.

Also,

No. 268 Resolution providing for a Contract or Contracts, or the use of existing Contracts for the purchase of anchoring and foundation equipment at a cost not to exceed \$25,000.00, chargeable to and payable from Code Account 3-01-01-0018-91, Emergency Wall Reconstruction Program.

Also,

No. 269 Resolution granting unto the Serb National Federation, One Fifth Avenue, Pittsburgh, PA 15222, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a canopy for the One Fifth Avenue Building on a portion of the sidewalk of Fifth Avenue in the 2nd Ward, 6th Voting District of the City of Pittsburgh.

Which were read and referred to the Committee on Public Works.

Mr. Ferlo presented

No. 270 Resolution providing for a Contract or Contracts, or the use of existing Contracts, for sidewalk repair of the bridge deck on Bigelow Boulevard at Commonwealth Place, in the 3rd Ward of the City of Pittsburgh, at a cost of \$5,000.00 or more, but less than \$10,000.00, chargeable to and payable from Public Property Sidewalk Program. —(SPONSORED BY MR. FERLO)

Which was read and referred to the Committee on Public Works.

Also,

No. 271 Resolution amending Res. No. 896, eff. Oct. 9, 1991, entitled: "Providing for an Agreement or Agreements of Lease with DiNardo Limited (owner Charles DiNardo) of certain indoor and outdoor space for an initial term of five (5) years, at \$1.00 per square foot annually for the purpose of securing space to be used for the storage of vehicles by the City of Pgh. and for the Dept. of Public Safety, subject to and contingent upon the annual appropriation of funds for the said Agreement of Lease," by adding for the leasing of office space and storage of equipment and vehicles by the City of Pittsburgh and the Dept. of Public Safety, at a cost not to exceed \$75,000.00, chargeable to and payable from the Confiscated Narcotics Proceeds Trust Fund (CNPTF), Dept. of Public Safety.

Which was read and referred to the Committee on General Services.

Mr. Ferlo moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Onorato seconded the motion.

Which motion prevailed.

Mr. Milliones presented

No. 272 Resolution amending Res. No. 71 of 1991 entitled: "Resolution amending Res. No. 170 of 1990 entitled: "Resolution authorizing and Agreement or Agreements with a collection agency or agencies, for professional services in connection with the collection of delinquent taxes, fines, penalties, and interest for the City of Pittsburgh at a cost not to exceed \$275,000", by extending the term and including the 1992 appropriation of \$250,000 per year, subject to annual budget appropriation, chargeable to and payable from Code Account 1063, Misc. Services, Dept. of Finance.

Which was read and referred to the Committee on Finance.

Mr. Milliones moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Ricciardi seconded the motion.

Which motion prevailed.

Also,

No. 273 Resolution providing for the issuance of a warrant in the sum of \$9,000.00 to Katherine Willis and John D. Hendricks, Esquire, 5 Grandview Avenue, Pittsburgh, PA 15211 in full and final settlement of an alleged accident involving a City police vehicle at or near the intersection of Baum Boulevard and Graham Street on or about May 19, 1989.

Also,

No. 274 Resolution providing for the issuance of a \$15,000.00 warrant in favor of Richard and Rosalie Larus in settlement of claim for property damage.

Also,

No. 275 Resolution providing for conveyance by the City of Pittsburgh of certain property, under Act No. 171 of 1984, entitled, "Second Class City Treasurer Sale and Collection Act," effective December 11, 1984.

Also,

No. 276 Resolution amending Res. No. 470, Item F, eff. June 6, 1991, which authorized the sale of a three story, inselbrick, multi dwelling, known as 611 Lorenz Avenue, 20th Ward, designated as Block 20 R, Lot 196, to Robert K. Kaniuff, for the sum of \$5,000.00.

Which were severally read and referred to the Committee on Finance.

Mr. Ricciardi presented

No. 277 Resolution further amend Res. No. 1296, eff. Jan. 1, 1992, as amended, entitled "Adopting and approving the 1992 Capital Budget and the 1992 CDBG Program and approving the 1992 through 1997 Capital Improvement Program," by increasing EC 92-98 (Zoo Master Plan Implementation) by \$500,000.00 from \$2,500,000.00 to \$3,000,000.00.

Also,

No. 278 Resolution providing for a Contract or Contracts, or use of existing Contracts, in connection with the Zoo Master Plan Implementation at a cost range of \$2,500,000.00 or more, less than \$3,000,000.00,

chargeable to and payable from Code Account EC 92.98.

Which were read and referred to the Committee on Engineering and Construction.

Mr. Ricciardi moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Onorato seconded the motion.

Which motion prevailed.

The Chair presented

No. 279 An Ordinance amending and supplementing the Pittsburgh Code, Title Six - Conduct, Article III - Dogs and Other Animals, Chapters 631, 633, 634, 635 and 636, by making improvements in the City's regulations on dogs, cats and other animals. ---**(SPONSORED BY MR. WAGNER)**

Which was read and referred to the Committee on Public Works.

Mr. Milliones moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. O'Connor seconded the motion.

Which motion prevailed.

Also,

No. 280 Communication from Ben Hayllar, Director, Department of Finance, submitting a report of deposits and the market value of securities pledged as collateral by City

Depositories as of December 1991.

Which was read, received and filed.

UNFINISHED BUSINESS

The Chair presents

Bill No. 281 Communication from Mayor Masloff returning with her veto Bill No. 31 entitled, "Resolution amending Section 6 of Resolution 384, approved May 2, 1991, by prohibiting the rental of pumper ladder trucks by the City of Pittsburgh from the Equipment Leasing Authority until authorized by City Council."

Which was read.

(MAYOR'S VETO LETTER)

February 17, 1992

Honorable President & Members
City Council
City of Pittsburgh
510 City-County Building
Pittsburgh, PA 15219

RE: Bill No. 31

Dear President and Members:

I am returning herewith Bill No. 31 which I hereby veto.

The Bill attempts to amend Section 5 of Resolution No. 384 of 1991. That Resolution authorized the issuance of bonds and has become the contract between the City and the bondholders. The Resolution was filed with the Pennsylvania Department of Community Affairs as is required by the Pennsylvania Local Government Unit Debt Act and is valid and

effective as filed. (See Section 103). Any attempt to amend or revise that Resolution is in violation thereof. I therefore urge that you sustain the veto of the Bill.

Council has expressed a desire to specifically approve all equipment purchased by and leased from the Equipment Leasing Authority. Council has approved amended Bill No. 32 and the Equipment Leasing Authority has adopted a similar resolution. These actions, I believe, will accomplish your purpose for the future.

Very truly yours,

Sophie Masloff
MAYOR

(END OF LETTER)

Mr. Ferlo:

Mr. President, I move to override the Mayor's veto for discussion.

Michelle Madoff seconded the motion.

Mr. Ferlo:

I don't want to re-open a lengthy debate on the quint fire vehicle but I would ask that my colleagues please consider overriding the Mayor's veto. Again, the basis of legislation is not to say that the City will not receive the pumper ladder truck, albeit still controversial. The intent of the resolution is to have the Administration come back to Council specifically with a resolution to properly lease from the Equipment Leasing Authority the so-called quint truck, the pumper ladder fire vehicle.

It is not necessarily the case that the lengthy debate would be re-opened on the so-called organization plan, but I do think from the

point of view of Council's fiduciary role and our oversight role that we have a responsibility, especially in light of the purchase of the so-called tiller truck, the so-called Beast of the East from a few years ago, involving the expenditure of millions of dollars, that we properly know what it is that we're buying.

The intent of the resolution is to make sure that if, indeed, we end up with the quint pumper ladder truck, that it be by resolution to Council specifically, and that we know specifically what vehicle it is that we are actually purchasing.

Bishop Darkins, Mr. Ricciardi, took a celebrated ride on one of the quint trucks that the Administration brought in. The Administration says that that is not the truck that they intend on purchasing. Well, what is the truck, specifically? The purpose of the resolution is to ensure that we actually know what it is that we're buying, that it's proper for the City streets, that it's something that can be utilized safely by our firefighters. I don't have that comfortable assurance level at this point and I would ask, please, for consideration to override the veto.

Michelle Madoff:

We're caught between a hard place and a rock, folks. A lot of people think that the City government is set up that City Council runs the City. The facts of life are that until 1992 we had a very strong Mayor system and a very weak Council system and, for some reason which I support, Council is flexing its muscles and really trying to be heard.

In that tone or note, I'd like to point out the kind of disappointment I'm having that I think my colleagues might share.

The veto from the Mayor arrived February 17th. Does anybody know what the

date is today? February 18th. We've had very little time to review this. I don't think that's the way you work cooperatively with inner-government, number one.

Number two, I believe that February 17th arrived on my desk today, which is the 18th, so I didn't even get to read the Mayor's wish to have us sustain her veto.

Furthermore, there are statements made in the letter saying that if we don't vote to sustain her veto, that indeed the bond will be in jeopardy. My limited knowledge of bonds, but I have had extensive involvement in purchasing and overseeing bonds, is that that is not the fact. What we would jeopardize is a contractual arrangement, that we agreed to buy some specific pieces of equipment and that that contract would be in jeopardy, not the bond itself. I deeply resent being lied to and having facts misrepresented.

I agree with my colleague, Mr. Ferlo, on this issue. We don't often agree but in this one I agree that we don't want to buy a pig in a poke. I was here and I voted when we bought the tillers, the pieces of equipment that gave us a great deal of problems in the beginning, that had to be modified, cost us a lot of money, required hundreds of thousands of dollars to put in new floors and doors at the fire stations. I admit that I was not knowledgeable because this Council is not kept as informed as it should be. We buy a pig in a poke. Our position is, "We are not to wonder why, we are just to do or die." We vote for whatever we're given.

Had I had more information years ago when we voted for the tillers that the Administration is now going to sell, I might not have voted for them. Probably would not. I don't want to have this Council compound a felony. We voted for a piece of equipment that wasn't effective. Do we want to vote for another piece of equipment that's not effective?

As you know, the reason I voted with my colleagues to have the Administration have to come before us again is that I was outraged that this Council sent a message very clearly over and over and over again that we wanted to know what the City was going to buy. And the message that came back, "We bought what we wanted to buy because we told you we were going to buy something and it's none of your business what it was", really upsets me.

The final statement of this request that we sustain the veto says that we will accomplish our mission in the future because the Equipment Leasing Authority is now going to come before us with the equipment, I say don't believe it for a minute. It will be business as usual. "We bought it, it's too bad. What are you going to have us do?" Are we going to have the taxpayers' money wasted because we made a contractual agreement?

So, in all, I'm very upset that we did purchase the equipment that was known as the Beast of the East. And I don't want to have a piece of equipment, the quint, come in without knowing that that piece of equipment is indeed going to be the right thing for our City.

That gets to the next issue which is part of why we're in this mess today, colleagues. The reason we are in this mess is that consistently, with the support of previous Councilmembers, the Administration has been effective in shooting down my attempts over the years to have our independent legal counsel.

Let me tell you the arguments that were used, and the media buys into it. It will grow like topseed. We'll have one lawyer and then we'll have two, and then we'll have three, and then we'll have assistant lawyers and we'll have advisors, paralegals, and then we'll have the secretaries, and then we'll need a law library.

The truth of the matter is that we talked about having an attorney assigned to us by the Law Department, and that person would work with Council. And I pointed out at the time that no person can serve two masters. If the salary is paid by the Administration, I don't believe we get independent advice. We could very easily find \$40,000 in our budget for a part-time legal representative, either one person or a law firm, that advises us. And that person could use the Law Library that exists, could use their own office staff wherever they work to supply their own data. There's a public library. That is just stonewalling. Anything to keep us from being informed.

I am tired of voting in a vacuum and I'm tired of wasting taxpayers' money because I try to do the best I know how. But I do need professional advice, the same as the State Legislature needs professional advice and has it, the Congress and the Senate has professional advice, and I would believe that almost all elected official bodies everywhere has professional independent advice.

Mr. Milliones:

Point of Order, Mr. President. We're not debating —

Michelle Madoff:

I have the floor, Mr. Chairman. I am making the point on this legislation, on the bill.

If we had our own legal counsel, we would be able to make an intelligent decision on this bill.

Mr. Ricciardi:

Mr. Wagner, as has been stated in the past, this resolution in no way will prevent the

Equipment Leasing Authority for accepting any and all fire apparatuses from the vendor. Again, this resolution would also not stop the City of Pittsburgh for paying the debt service on any and all fire apparatuses. The bond holders will be secure.

Basically, what this resolution does, Mr. Wagner and colleagues, is just stop the City from accepting delivery of any and all fire apparatuses from the Equipment Leasing Authority until this Council reviews it and approves it.

I think in the past all of us at one time or another spoke about the fire reorganization, and rightfully expresses our concerns about the fire reorganization in terms of the quints and even the squads. But there was no way in the past that this City Council could have had input into the fire reorganization. This is, I believe, the first time where we could really put our vote where our mouth was in the past, and that is vote to override Mayor Masloff's veto.

And, again, as I have stated in the past, if the quints can maneuver in the City of Pittsburgh, if the specifications can't fit our terrain, I myself will vote for the quints. But I have had a very bad experience with Councilman Darkins when we looked at some other quints in the past.

All I'm saying, City Councilmembers, is that I think we should have a shot at reviewing any and all fire apparatuses that come into the City. And this is in no way a criticism or a shot at one of my colleagues who believe that the experts should make the decision. Well, as we see the tillers now, the experts made the decision on the tillers and they were very ineffective in the City of Pittsburgh and we're now selling them and we definitely will take a loss on them.

So, I will be voting to override Mayor Masloff's veto on this and I hope some of my colleagues will continue to stay by their votes.

Thank you.

Mr. Cohen:

I agree with Michelle, by the way. I think we should have our own legal counsel and the ability to get legal advice independent from the Mayor's Office. That's not the issue before us right now.

The issue before us is whether or not we should vote for this bill. I voted against the bill when it first came up because I felt it was illegal, and I still feel that it's illegal and that it could well result in Pittsburgh City taxpayers paying more ultimately for this equipment than we would originally.

By voting for this bill, it places in doubt the ability of us to secure the bond. And the reason is, the lease of the equipment is a security on this bond. That's in the contract, you can find it there. And if the security is put in doubt by this bill, then that is a technical default which means that the bond would have to be redone which means that the bond holders feel that this is a more risky investment than they would have otherwise, which would increase the interest rate on the bond and ultimately increase the cost of this for City taxpayers.

I do have concerns about the quint. I think this is the wrong way to go, and I think that by overriding the Mayor's veto on this we could well result in a bond default and in more money for the City of Pittsburgh taxpayers and I can't do that.

Mr. Milliones:

I also agree with Michelle relative to the question of lawyers. But I think it would be irresponsible not to support the Mayor's veto. This issue is going to cause us to be sued again just as we're in court now relative to the historic

designation issue on the South Side. It seems to me that this will be the end result. We will, without a question, be sued again and it seems to me that it would be irresponsible not to support the veto.

Michelle Madoff:

I thank my colleagues both for saying that I'm right about something, and I would like to reiterate that well, when you have a spokesman for the Mayor of course I couldn't be right often. But I'd like to reiterate the point that any piece of legislation that requires legal input, as Dan Cohen said he doesn't think that goes to the issue but I think it does go. I don't think he meant it doesn't go to the issue, it really does go to the issue. Had we had independent legal counsel, we would know how to vote, whether it was legal or not, whether we could be sued, whether indeed this would affect the bond issue, whether there is a liability factor here.

I'm inclined to agree. I expressed my disapproval of how things were done. I'm inclined to agree when I started and said we're between a hard place and a rock, that we may indeed be sued. And that brings us to another issue that is still pertinent to this bill, and that is that if we are sued, we would actually be sued by the Administration. That's who would be suing us because they'd say we put this thing in jeopardy. It wouldn't be the contractor; the contractor would have a deal with the City. And we might be sued with two people, the Administration supporting it and Council not if we had enough votes. And then what would happen is that we'd have to go out and get our own legal counsel, and we've had that discussion before.

So, I don't think we really have any choice except to sustain the Mayor's veto but to get our own legal counsel, and tout de suite, yesterday, since there seems to be an intelligent

re-evaluation of whether we should have --

Mr. Ferlo:

This is on the override.

Michelle Madoff:

No, no. I spoke to the issue; I didn't speak to override. I spoke to the issue and how I felt about how this whole thing was handled. It was handled abominably and I want everybody to know that those of us who may feel that we have to vote for it are between a hard place and a rock.

I don't think that we're going to accomplish anything. We need to get our own legal counsel and start running professionally.

Mr. Ferlo:

Mr. Chairman, I believe Mr. Cohen and Mr. Milliones' comments are a scare tactic. We did, in fact, secure the bonds. We did, in fact, give money to the Equipment Leasing Authority. They already have the money in their checking account. They're already going to make transactions regarding the purchase of some quints.

My only point, to return to Mr. Ricciardi's point, is that we should know exactly what it is that we're buying all the more so because of the past experience in the purchase of the tiller truck.

It's obvious that the Administration did their homework over the weekend and that we do not have the votes to override, which I'm disappointed with. I can respect those Councilmembers who right from the beginning, like Dr. Milliones, took a principle position on the quints, yourself and others. I always find it amazing when people switch overnight, for whatever reason or for whatever benefit to themselves or their district, but I am disappointed

in that. But, again, I would ask that Council override the veto.

Mr. Cohen:

I wasn't going to speak again but I have to respond to Councilman Ferlo.

I resent this being called a scare tactic. I do. We all have a responsibility to the residents of Pittsburgh and we choose to approach that responsibility in different ways. I'm not tied to anybody on this. My decision on this is based purely on the facts as I see them and I resent this being called a scare tactic.

What I think Councilman Ferlo is doing is putting up a smoke screen because he knows, as well as everyone here knows, that we don't have real authority over the purchase of that equipment.

So, let's ask ourselves the real question, and that is, how much is this going to cost the City taxpayers? My view, and my view is an independent one, is that this is going to cost City taxpayers more money if we put this bond in default and put the bond holders at risk. That's my view, it's independent, and it is not a scare tactic.

The Chair:

Okay, we're going to have final comments. But I just want to add that my position from the start has been that we are on thin ice legally with this resolution. Council unanimously approved Mr. Ferlo's other resolution to determine in the future what equipment would be purchased or listed when purchased with the Leasing Authority.

If we do this with this piece of equipment, we can realistically do it with all other pieces of equipment with the previous bond issue. And,

quite frankly, that concerns me. I have been a strong proponent of keeping the squads. This, in fact, does not even keep the squads, if this passes. That is truly a mayoral decision to keep those squads. Council can do as much as it can do, but having certain equipment or not having certain equipment will not change their mind on that issue. My concern here, quite frankly, has been what Mr. Cohen has stated in terms of the legality of the issue.

Michelle Madoff:

Mr. President, I'm very unhappy about the bill and I think you're saying the same thing. But what we're saying is that even though we're unhappy and we don't like what has happened and we want to point out who has created this problem, it was not this Council, that we have to vote responsibly.

If you know anything about bond issues, if you go out into the market and there's this kind of danger that Council can take away what has been contractually agreed upon, the rates for bonds would go up and would cost taxpayers millions of dollars.

I'm concerned and therefore I'm going to vote to sustain. But I would ask my colleagues to correct this problem and the only way you do it is to get us some professional help, both in bond issues and in legal counsel. And we ought to do that yesterday.

Mr. Ferlo:

I just want to say that we did correct the problem in the long range because, as you stated, all of Council unanimously separating itself from this issue fundamentally in the future on major equipment purchases and will come to Council by way of a specific resolution, and I thank you for that support.

But, again, I do think that we should vote to override the veto and I just want to point out to the public that we, in fact, do not have a formal legal opinion stating that this is illegal. There were references by the Solicitor at the table and there were some comments in a narrative form in the Mayor's override veto. We do not have any such formal legal pronouncement.

Mr. Onorato:

Mr. President, I sit here listening and I'm very concerned, too, about the points brought up by Councilman Cohen and by Councilman Milliones. I will state that I had a lot of questions and I voted for this bill and on Friday I had a meeting with the Solicitor and we discussed some of the issues that were concerning me and why I thought that there wasn't a legal problem.

On Monday of this week, yesterday, I received a copy of the front page of the bond and the wording of the leasing is in there as a security along with the taxing power of the City.

The question I have and what I don't understand is, does everyone on this Council, did they have a chance to see the front cover of the bond? Did we review this with the Solicitor when this bill came up? It came down yesterday and I looked at it and this bill has been up now two, three weeks and questions have been asked. If I would have seen this two weeks ago, that would have brought up more questions and I would have said, "Wait a minute, maybe there is a legal problem here." I'm still not quite sure.

The point I'm making is, I think a lot of this could have been settled earlier. At this point I just don't know. I just want to make that point so that in the future maybe we can sit down with the Solicitor, bring the bond to the table, let's review the wording. And maybe because Bob and I are new, but I'm just talking about when I've been here and maybe we'll make a different decision.

The Chair:

Good point.

Mr. Ricciardi:

Mr. Wagner, I would just like to say that I respect Mr. Cohen's position and I believe he is very sincere in his position that he stated. However, I would like to elaborate just on one issue that was stated by my colleague and that is what it's going to cost the taxpayers in the future. I believe there might be a possibility that it could cost the taxpayers something in the future but I believe elaborating on that is could it cost a taxpayer his or her life in the future by accepting these quints blindfolded. That's where I'm coming from. Thank you.

The Chair:

Roll call vote. An aye vote is to override the veto. A no vote is to sustain it.

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Ferlo
Mr. O'Connor

Mr. Onorato
Mr. Ricciardi

AYES 4

NOES 5

VOTING NO:

Mr. Cohen
Mr. Darkins

Mr. Milliones
Mr. Wagner

Michelle Madoff (Pres't)

And the majority of the votes of Council not being in the affirmative, the veto was sustained.

REPORTS OF COMMITTEES

Mr. Milliones presented

Bill No. 282

Report of the Committee on Finance for February 12, 1992 transmitting one ordinance and sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 63

An Ordinance entitled, "An Ordinance directing the Allegheny County Board of Elections to place before the qualified voters of the City of Pittsburgh a referendum question which would amend Section 322 of the Home Rule Charter - Publication and Effective Date of Legislation." ---**(SPONSORED BY MR. WAGNER)**
(AS AMENDED IN COMMITTEE)

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Milliones:

In accordance with Section 322 of the Home Rule Charter, I move that the Effective Date on Bill No. 63 be the date on which the Mayor signs it.

Michelle Madoff seconded the motion.

WHICH MOTION PREVAILED.

Also,

Bill No. 157

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Public Strategies, Inc., One Bigelow Square, Suite 616, Pittsburgh, PA 15219, in the amount of \$2,990.00 in payment for professional consulting services rendered to Councilman Michelle Madoff for the month of January 1992." ---**(SPONSORED BY MICHELLE MADOFF)**

Which was read.

Also,

Bill No. 158

A Resolution entitled, "Resolution providing for

the issuance of a warrant in favor of National Road Utility Supply, Inc., P.O. Box 188, West Alexander, PA 15376, in the amount of \$2,040.00 in payment for emergency purchase of two steel reducing repair couplings, furnished for the benefit of the City and providing for the payment thereof."

Which was read.

Also,

Bill No. 159

A Resolution entitled, "Resolution providing for the issuance of a warrant to Milan Brnilovich in the amount of \$100,000.00 in full settlement of claim for personal injuries, and providing for the payment thereof."

Which was read.

Mr. Ferlo:

Mr. President, in the Committee Session on some of these payouts on claims, on Bill 159 regarding one of the fire truck incidents, we did ask for an accident report on the 77 accidents that the Chief talked about over the last three year period and we also asked specifically what disciplinary action was taken, if any. I didn't receive any of that information; I don't know if the Clerk received it or any other Councilmember, Mr. Onorato, the Chairman of Public Safety.

I think a lot of us, even some of the newer colleagues, are concerned with these big claims. I know from the four years that I have been here, yourself, Michelle, others have asked continually about accident report information and I would like to ask, respectfully, if it's alright with Dr. Milliones, that we recommit the bill and ask for this information.

Mr. Cohen seconded the motion.

Mr. Ricciardi:

Abstain.

WHICH MOTION PREVAILED.

Michelle Madoff:

Point of Order on the bill. We requested some material and I have something to share with Council. We got a call from the Law Department asking how we want this data prepared. What we need is something in a form that gives us a picture of what is happening. It isn't just satisfactory to just give us some data loosely. So, I want to be sure that that will be the way it's done. My office is working on it and we'll share it with all of Council.

Also,

Bill No. 160

A Resolution entitled, "Resolution providing for the issuance of a warrant to Thomas Wasielewski and Esther Wasielewski, his wife, in the amount of \$20,000.00 in full settlement of claim for personal injuries, and providing for the payment thereof."

Which was read.

Also,

Bill No. 161

A Resolution entitled, "Resolution providing for the issuance of a warrant to plaintiff, c/o, Swensen, Perer & Johnson, Esquire, in the amount of \$137,500.00. in full settlement of claim for personal injury, and providing for the payment thereof."

Which was read.

Mr. Milliones:

On Bill 161, the name of the person, the victim, should not be listed. We voted in Committee to have her attorney's name listed, so that should not appear in the public record.

The Chair:

Absolutely. That will be deleted immediately.

Mr. Milliones:

It should be deleted. The money was awarded to her counsel on her behalf.

The Chair:

Thank you for bringing that to our attention.

I would ask that anyone who has access to this paper, including the media that is here today, to please make sure that this information does not become public. Thank you.

Mr. Cohen:

I would just like my comments brought forward on Bill No. 161.

(REMARKS ON FOLLOWING PAGES)

(BEGINNING - MR. COHEN'S COMMENTS ON BILL NO. 161, WEDNESDAY, FEBRUARY 12, 1992)

Mr. Cohen:

Director, I don't want to get into the facts of the lawsuit much at all but I want to make sure that this type of thing doesn't happen again. This case boggles the mind really.

The concern is what happened with respect to the dispatcher's call to the police to make sure that the failure never occurs again. What happened when the police reached the location and finally what happened with respect to the evidence in this case and maybe that's one that Mr. Specter can speak to.

I would like to speak with respect to policies of the Public Safety Department. I think we're all familiar with this case and one that is a tragic case. We often hear 911 stories that are stories about heroism, this is not a story about that, it's a story about incompetence and it's a tragic one but what I'd like to know is how has the dispatching process changed to make sure that this type of thing doesn't happen again?

Dir. Cannon:

Like the previous discussion we had on the fire truck accident, I think it's important that you put these accidents in the proper time frame and realize that this happened at a time prior to the enhanced 911, prior to our ability to capture phone numbers, prior to our ability to be able to find addresses as a result of that.

The technological advances in 911 are marketedly different than they were at that place and time so that is one reason that this kind of thing, it's unlikely to occur again. In addition, at that time we reviewed totally the process and procedures that go on, not only at 911 but that the police took on their arrival at the scene. As a result of that, eight personnel were disciplined, three in the Communications Center and five in the Bureau of Police and policies were rewritten and changed so that all information no matter how trivial it may seem on any call is relayed to the people that are responding and if the people who are responding fail to call back with the result of what has occurred, the Communications people request that. They queried the people on the scene as to what is the outcome of this call so that we do not allow a person's judgment to be wrong and allow this kind of situation to happen. So what we had here, I don't agree it was incompetency but there certainly was human error in the system. We have put procedures in place that have operated since this time in 1988 so that there has been no reoccurrence of anything of this nature since that time. To take away the prerogatives and reduce the possibility of human error by putting procedures and checks in place that just don't let

people make decisions. I know it's a sad thing. We try to count on the experience and the judgment of our employees but we found it to be at fault and so we changed it and those things have happened, people have been retrained. Not only were the Communications people involved and retrained but the police officers involved were also pulled in and retained. So all of those things have occurred since 1988.

Mr. Cohen:

Does the current 911 system allow us to distinguish between a caller that hangs up the phone and when a phone line is pulled from the wall?

Dir. Cannon:

No, there is no way to determine that.

Mr. Cohen:

How do you deal with that?

Dir. Cannon:

Because now we have a phone number of where the call came from. If there's any disconnect for any reason, we immediately make the call back. If the phone is no longer operable because it has been destroyed, whether the wires have been yanked from wall or cut or whatever reason, we will know that and we will immediately be able to relay that information to the responding units that we were talking to this individual, the phone went dead, we attempted to call back and we get no answer, in fact, we cannot complete the call.

There is some misinformation about this case with the phone being ripped out of the wall. That is inaccurate. In fact, later on a call was place to that phone number and it was unanswered but it did ring. A phone ripped out of the wall would not ring when we returned the call.

Mr. Cohen:

It was not answered because the owner couldn't answer it.

Dir. Cannon:

That's exactly right.

Mr. Cohen:

Do we have in effect a policy to ask the person whether the person is a potential victim or the person is a neighbor

involved, a neighbor who might live next door? That's another problem with this case.

Dir. Cannon:

That's correct. The call came at that time as a burglary in progress.

Mr. Cohen:

Do the receivers of the call now know to make sure whether the caller is home or not?

Dir. Cannon:

Yes, they do. In addition, if you recall we are now adding a third component to the enhanced 911 system which is the automatic location indication. We now get the telephone number, the next step gives us the address. We know then if the phone number we're getting is not the address of the call, so that it's automatically it can be queried but until that's in place we ascertain where the caller is calling from. Then in areas of suspicion verify that address with a relationship through Bell through Bell Security, so that if we have any question, either in an emergency where it's a child or some reason we're unsure of or when there's an abuse of the system, we verify the address through Bell and the next step will allow us to have that right on the console in front of the call taker.

Mr. Cohen:

Let's go to the police part of this and what happened when the police arrived on the scene. Apparently there was no Supervisor or Controlling Officer on the scene in this case. That's what our Law Department says in its letter

Dir. Cannon:

That is incorrect, there was a Police Lieutenant.

Mr. Cohen:

Why don't you explain what happened but what the policy is of the Police Department with respect to having a controlling officer on the scene like this?

Dir. Cannon:

Normally, if there is a burglary-in-progress call, the assigned car will take and investigate that so generally you wouldn't have a supervisor sent to that call unless there was some reason that it was out of the ordinary or when the officers arrived on the scene they chose to ask a supervisor to come. An

example is, if you have to break down a door to get into a place, generally they want a supervisor on the scene before they do that. If they are wrong, they want a supervisor there who has documented all the actions and the reasons why they are through through the door and sometimes we do go into the wrong place because we had reason to believe we needed to get inside and it turned out to be wrong. I think recently you recall that happened in a narcotics case.

In this case there were a number of officers dispatched and as a result of that, and I will have to look again. I know the Lieutenant was involved although I'm not sure and I'd have to check to see if he was physically on the scene. I believe he was though.

Mr. Cohen:

The officers are instructed as to whether or not to enter a building or not and in this case there was a hole in the door, there was a car in the driveway and a neighbor told the officers, at least it's alleged that the neighbor told the officers that the resident was home and that there were young children in the apartment. Under the police rules and regulations, when are officers instructed to knock on the door to enter a building?

Dir. Cannon:

I want to answer your question but I do not want to discuss things that are not in the public record because again we may still may be back in court on this case.

Generally it is the police officer's judgment based on his training and experience when they arrive at any scene and on the gathering of physical evidence that you've described, that they will make a decision whether or not they have cause to enter the building or not.

If you recall as I said early on, the police officers involved in this went through a retraining program related to the actions that they should take on the arrival at a scene.

Mr. Cohen:

The last thing I want to get into is evidence. It seems Mr. Specter, that the critical piece of evidence in this case was lost, that was the door. What is the City's process for preserving evidence and how could we assure that evidence is not lost in the future?

Mr. Specter:

Let' me say this, I'm not sure I'm the best one to answer the question as to the chain of possession of the evidence. I can tell you this that in this case the door was removed and it was taken to the Public Safety Building. As near as anyone can determine, exhaustive investigations were made in an attempt to find this door and I'm sure Director Cannon, he and I have talked about this, a number of investigations were made.

As near as we can determine, what probably happened is, when the Public Safety Building was vacated and they moved to Carson Street, that door was in a closet or some place like that and was simply overlooked.

Mr. Cohen:

I'm sorry, this is beyond the case, we are not talking about the facts of the case. How can a door be overlooked? This is not a bullet, this is not a piece of fabric, this is a door.

Mr. Specter:

What was happening at the time when the Public Safety Building was -- the reconstruction had already started on that building before the final move was completed. Now understand, this is speculation on our part. Nobody knows and certainly not I what actually happened to the door but we know that it was there at one time, we know that the police removed it, that it was taken there and subsequently inspected but some time between then and at the time that this case started and the plaintiffs attorney asked to review it in discovery, it disappeared.

Mr. Cohen:

Is there a person who is in charge of preserving evidence at the Public Safety Department?

Dir. Cannon:

There is a property room where certain evidence is stored until it's needed for a court case and it's logged in and it's logged out. Not all evidence though, during certain phases of investigations the evidence is not in the property room because it may be being worked with. Sometimes evidence goes to the Crime Lab.

Mr. Cohen:

Was this piece of evidence logged in?

Dir. Cannon:

This evidence never was in the Property Room, that's correct. It was still in the hands of people conducting an investigation.

Mr. Cohen:

But it was in the custody of the Public Safety Department.

Dir. Cannon:

That's correct.

Mr. Cohen:

Was anyone disciplined?

Dir. Cannon:

As Mr. Specter has pointed out, we cannot ascertain what occurred. We know in whose custody the door was, but we don't know what happened to it and it appears that it was lost during the moving from the Public Safety Building to Carson Street.

Mr. Cohen:

My view is that somebody should be disciplined for this and I think it's a tragic case and I think we should vote for the settlement. Thank you.

(END OF COMMENTS)

PREPARED BY: MARY ANNE HRUSKA
STENOTYPE REPORTER

Also,

Bill No. 162

A Resolution entitled, "Resolution providing for the issuance of a warrant in the sum of \$17,500.00 to Doris Goldston a/k/a/ Doris Johnson c/o David C. Martin, Jr., Esq., her attorney, 2006 Noble Street, Pittsburgh, PA 15218 in full and final settlement of an alleged accident involving a City truck on S. Highland Avenue and Stevenson Place in the East Liberty Section of the City of Pittsburgh on or about October 25, 1988."

Which was read.

Also,

Bill No. 163

A Resolution entitled, "Resolution providing for the issuance of a warrant to Edward Juson Boykin and Marie Boykin, in the amount of \$12,000.00 in full settlement of claim for property damage, and providing for the payment thereof."

Which was read.

Also,

Bill No. 164

A Resolution entitled, "Resolution providing for the issuance of a \$1,584.54 warrant in favor of Pittsburgh Plate Glass, Inc. in settlement of claim for property damage."

Which was read.

Also,

Bill No. 165

A Resolution entitled, "Resolution providing for the issuance of a \$2,993.69 warrant in favor of Mark Connolly for payment of vehicle damage."

Which was read.

Also,

Bill No. 166

A Resolution entitled, "Resolution providing for the issuance of a \$895.00 warrant in favor of Linda Barbenel, Executrix of Estate of Ben Paul Simon in settlement of claim for sidewalk damage."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen
Mr. Darkins
Mr. Ferlo
Michelle Madoff
Mr. Milliones

Mr. O'Connor
Mr. Onorato
Mr. Ricciardi
Mr. Wagner
(Pres't)

AYES 9

NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 168

A Resolution entitled, "Resolution transferring the amount of \$409,096.00 from Code Account 1843, (184309), Department on Aging to Code Account SCPTF (254250), Senior Citizens Program Trust Fund in the Department of Park and Recreation."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Michelle Madoff	Mr. Ricciardi
Mr. Milliones	Mr. Wagner
	(Pres't)

AYES 8 NOES 1

(MR. FERLO VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 170

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Public Strategies, Inc., One Bigelow Square, Suite 616, Pittsburgh, PA 15219, in the amount of

\$1,600.00 in payment for professional consulting services rendered to Councilman Eugene Ricciardi for the month of February 1992."
---(SPONSORED BY MR. RICCIARDI)

Which was read.

Also,

Bill No. 209

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Councilman Eugene Ricciardi in the amount of \$1,020.00 for reimbursement for round trip air fare expenses incurred for two expert witnesses at the public hearing on the Firearms Redemption Program held on February 4, 1992."

---(SPONSORED BY MR. RICCIARDI)

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 9 NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bills passed finally.

Mr. Darkins presented

Bill No. 283

Report of the Committee on Public Works for February 12, 1992 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 125

A Resolution entitled, "Resolution granting unto Margaret C. Lux of 336 Joncaire Street, Pittsburgh, PA 15213, her successors and assigns, the privilege and license to construct, maintain and use at her own cost and expense, an existing parking pad on portions of the right-of-way of Joncaire Street in the 4th Ward, 3rd Voting District of the City of Pittsburgh."

Which was read.

Also,

Bill No. 151

A Resolution entitled, "Resolution granting unto the Ms. Wright-Blessed Dawn Watch Personal Care Home, at 2145 Perrysville Avenue, Pittsburgh, PA 15214, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a fence on a portion in the right-of-way of Burgess Street and Maywood Street in the 26th Ward, 1st Voting District of the City of Pittsburgh."

Which was read.

Also,

Bill No. 152

A Resolution entitled, "Resolution granting unto the Carnegie Library for the Blind and Physically Handicapped at 4724 Baum Boulevard, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, three (3) bollards with connecting metal handrail on a portion of the sidewalk on Baum Boulevard in the 4th Ward, 3rd Voting District of the City of Pittsburgh."

Which was read.

Also,

Bill No. 153

A Resolution entitled, "Resolution granting unto the Italian Oven and Groceria, 1700-1706 Penn Avenue, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a canopy on a portion of the sidewalk on 1700-1706 Penn Avenue in the 2nd Ward, 6th Voting District of the City of Pittsburgh."

Which was read.

Also,

Bill No. 154

A Resolution entitled, "Resolution vacating South Craig Street. Beginning at a point at Northwest corner of Forbes Avenue and South Craig Street thence 51 degrees 07'-35" E. a distance of 111.13' (feet) to a point; thence N. 71 degrees 01'-55" E. 19.26 feet to a point; thence N. 87 degrees 31'-15" E. a distance of 21.20 feet to a point; thence N. 1 degree 07'-35" W. a distance of 111.40 feet to a point; thence in a southwestwardly direction a distance of 40.46 feet more or less to the place of beginning, also reserving 15" sewer line and 6" water line located

therein, in the 4th Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 155

A Resolution entitled, "Resolution vacating a portion of McNary Way, between Arch Street and Butterfield Way, in the 22nd Ward, 6th Voting District of the City of Pittsburgh."

Which was read.

Also,

Bill No. 156

A Resolution entitled, "Resolution vacating Mozart Street between Ashlyn Street and Swift Way, in the 20th Ward, Voting District 2 of the City of Pittsburgh."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Cohen presented

Bill No. 284

Report of the Committee on Planning, Housing and Development for February 12, 1992 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 149

A Resolution entitled, "Resolution providing for the filing of a Community Development statement by the City of Pittsburgh with the U.S Department of Housing and Urban Development for a grant in connection with the 1992 Community Development Block Grant Program; providing for the execution of grant contracts and for the filing of other data providing for required assurances; providing for execution of payment vouchers on letter of credit and for certification of authorized signature; the deposit of the funds in a bank account and providing for the payment of expenses within categories."

Which was read.

Mr. Ferlo:

Mr. President, on Bill No. 149 regarding the annual Community Development Block Grant allocation. At the table Director Downing indicated, I believe, that \$195,000 less will be received in the overall grant.

And I'd like to know at some point, and I'm sure Mr. Cohen is working on this, what

exactly are the Administration's plans regarding that allocation cut and when and how will they come back to Council regarding our re-prioritizing.

But, as part of that, and this is something you have raised in the past, Mr. President, the unencumbered fund balances and various CDBG code accounts, we'd like to know what those fund balances are while we give consideration to that cut that would have to be made.

The Chair:

Mr. Perry, would you please put out a letter asking for that information? Thank you.

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Ferlo presented

Bill No. 285

Report of the Committee on General Services for February 12, 1992 transmitting one resolution to

Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 210

A Resolution entitled, "Resolution affixing the plaque donated by the 30th Ward Knoxville Block Watch in honor of Loretta Miller to the new EMS #2 Building located at the corner of Bausman Street and Mathews Avenue, 30th Ward."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Cohen presented

Bill No. 286

Report of the Committee on Public Safety for February 12, 1992 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 169

A Resolution entitled, "Resolution providing for a contract or contracts from time to time in connection with demolition and removal of condemned buildings and providing for the payment of the costs thereof."
---(SPONSORED BY MR. ONORATO)

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Millions	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

MOTIONS AND RESOLUTIONS

Mr. Ferlo:

Mr. President, a couple of brief things. First of all, I have a thank you to give to all the Councilmembers, to the Police, to the Highland Park Community Club, to the media especially, and also to the tipsters especially. The day after last week's announcement about our second famous graffiti artist, the so-called CESNO, we did get a positive identification on this individual and he will be arrested later on today. So, if he's listening, he should make sure he's available for the police.

Mr. Cohen:

I think he just left town.

Mr. Ferlo:

No, he'll be around.

I do want to thank the Highland Park Community Club for kicking in the \$200 and raising this issue with me and elevating public attention about it, and Council for backing me up and also making some very strong comments that were made by other Councilmembers who obviously are experiencing the same problem in all of our neighborhoods throughout the City.

The Police did a very quick job following up on the leads. I even got out and located the automobile from a license plate number. I happened to find the car located in Highland Park.

And the media did a good job. Each one of the tipsters, one mentioned KQV, one read the Press article, and one saw Channel 4. So, all three media did help and, in fact, really put the information out there.

I had mentioned to Mr. Cohen, who is working hard on this issue also, that maybe once a month we have to do this kind of a thing, maybe focus in on some other graffiti person City-wide in one of our neighborhoods who has really been a culprit.

I did find out, though, in the last week that despite Mr. Pollock's legislation and Council supporting the creation of the Graffiti Trust Fund, in effect the Trust Fund was actually never legally established. I did kick in a donation. The Controller's Office and the Administration have actually now created the Trust Fund and people can make contributions care of the City Treasurer, Graffiti Trust Fund. If you'd like to deposit money into that Code Account, that will be used by the Police and the Public Safety Director to help pay out our rewards. The Allegheny Valley Bank who was a victim of CESNO has kicked in \$200. The Highland Park Community Club, my \$100, and others I'm sure will be kicking in money.

I think we need to put some money into that Code Account, even if it is possible, even a token \$1000 from the City just to give some moral and financial support for something that we believe in while, at the same time, working out in the community to raise money.

I had learned also since last week from the media, from people calling about CESNO, that for some reason he went on a trail. He went all the way out to Wilkesburg. There are probably a couple hundred buildings that he has vandalized with the graffiti. The Nabisco Building, which we're all familiar with, and a whole bunch of places around the City which is very unfortunate. It is a young person, 17. I'm not going to identify the name at this time, I'll let the Police take care of that.

But, again, I think once a month, I hate to do this, but maybe we can focus in on some other

graffiti culprit in one of the other neighborhoods and really try to do a concentrated effort.

So, again, I want to thank Council and the Community Club and the tipsters and the Police for doing a great job, especially Chief DeRoy. I just want to say thank you.

And again, I think unfortunately, the media at one point asked me, "Well, you're going to make more graffiti artists by going public." But I think we caught in a double jeopardy here. We have to focus in on that problem. We have to try to catch people and try to educate our young people and others that graffiti in this manner is not art, that it is vandalism, pure and simple, and we need to be vigilant in that.

Michelle Madoff:

I think we owe a debt of gratitude to Mr. Ferlo for focusing the way he did and bringing it to Council's attention. I know that I was very frustrated and called by a number of people that I do business with.

You pointed out, Mr. Ferlo, that at least 200 buildings have been damaged. I think it's probably closer to 1,000. And if those people who have had damage would please, the media or City departments or our Public Relations Department, if we have such a thing, would put out some public service spot and tell people where they can mail their checks, I think those businesses that would have been vandalized would be delighted to put some money into a fund to try and stop this. So, if we could take this a step further, it would be wonderful if the media would get behind it, if the Administration would put out public service spots.

Again, thank you, Mr. Ferlo.

Mr. Ferlo:

On an unrelated issue, Mr. President. My good friend, Dr. Hayllar, who is our Finance Director and the Chief Tax Collector for the City, I'd like an explanation from him as to why he went around the existing contract that we have when we buy rugs and carpets for various offices. For instance, a new member here, a new elected official, bought carpet. Justifiably, it's a carpet that was in bad condition and we're paying \$14 per square foot.

I'd like to know why our Finance Director, our Chief Tax Collector, is paying \$41.40 per square yard for this carpet as opposed to a public official paying only \$14 per square yard. I want to know why the existing contract that we have with one of the vendors is circumvented.

And is there any gold weave in this carpet for \$41.40? I'm just curious and I'd like an explanation on that.

I don't want to refer to him as the Sheriff of Nottingham, but that's the style he's living. I think he needs to set an example and I'd like an explanation.

Mostly I want to go see the rug. It's from California. It's a Bentley Excelsior. I know he's an excelsior kind of guy but \$41.40 is a little -- Actually, the rug cost \$54.89 but he got a deal here; he got it for only \$41.40. But I would like an explanation on that.

Mr. Onorato:

Two issues real quick, Mr. President. One, I'd like to remind everyone that tomorrow there is a post agenda discussion with the Park and Walk Program following our meeting.

The second issue. Some of you might

have seen this in Saturday's Post Gazette dealing with the Schenley Park Plan. They call it the Master Plan for the Park. It's the 20 year blue print, \$20 million over 20 years. It was a mayoral committee formed in 1989 for the Centennial of Schenley Park.

I just have a few concerns. There are four district parks, Schenley, Frick, Highland, Riverview, and I know at the budget hearings when you go around to the neighborhoods that on the North Side we have been talking about the Centennial of Riverview.

I'm concerned that we only have a master plan for one of the parks. Some of the comments in the article from a Mr. Schmidt from the Conservancy stated that maybe the other three parks can look at Schenley and use this as a model plan down the road.

For me, that's not good enough. I would like to see a plan for all four parks. I would also like to see what plan and how the money is allocated for these four parks over the next five years. I would request that Mr. Perry write a letter to Parks or Construction, whoever is handling the projects.

The reason I bring this up today is because Councilman O'Connor and I were briefed on some construction projects in our districts a few weeks ago, and I was told a lot and cabin in Riverview Park that burned down several years ago will not be restored, will be demolished, and will be replaced by an outside shelter because there's no money. So, when I pick up a master plan for Schenley Park and see \$20 million over 20 years, and I'm told that we can't even rehab one shelter that burned in our park, that concerns me.

A lot of people will accuse me of being parochial, but we don't have Councilpeople at large anymore. This is by district and the reason

we went by district is because there were a lot of areas of the City that were not represented. I happen to represent the North Side. Riverview Park is in the center of my district, and I'm very concerned with what happens to the Park.

As you can see, the homes that surround Schenley Park are very valuable. It's a selling point for these homes. It could be a selling point for the homes in the North Side, around Highland Park, around Frick Park. There's more than just the park.

I would like to see the plan and I would hope that they will respond within the next two weeks.

And, if there's nothing going on, maybe you, Mr. President, could form a committee overseeing these four parks and Mr. O'Connor, being the Chair of Parks, might want to get involved. I would be happy to sit on the Committee for Riverview.

But these issues concern me and I will be watching them.

Mr. Ricciardi:

I believe Councilman Onorato brings up a very interesting point because we have to keep in mind that statistics and studies show that Schenley Park is a regional park that really draws the majority of the people that have recreation in that park from outside the City, whereas some of the other parks that Mr. Onorato mentioned are more neighborhood parks, parks that really cater to City residents.

So, I think adding that extra twist, we should really keep that in mind and I would like to see most of our resources going into neighborhood parks, especially because of these tough economic times and austerity within our budget before we continue to put in a lot of our

capital improvements to a regional-type of facility. Thank you.

Michelle Madoff:

While I, in principle, agree with my colleague, Mr. Onorato, basically we never forget that if the City doesn't survive as a whole, we won't survive as communities. This new Council has been very good about supporting each other on not only regional but on community needs. We have been a very effective working Council because we've been supportive of all communities and I'd hate to see that change.

However, while I agree that the regional part must be a priority and that Downtown is the living room of the City and it must be supported, we still need to look at the equitable division of allocation of dollars. I have, for example, in District 2, a senior citizen area that for ten years we've been looking for a place to put these people who can't walk down steep stairs, don't have any facilities for handicap, and every year they say, "We're looking, we're going to find something, sure we are."

But if we had equitable division of the allocations of dollars other than the regional, other than the Downtown, we separated that in an agreement, and we sponsor legislation, I'd like to work with you on that and ask you to work with me, and anybody who would like to join in this. Take the dollars that are allocated and let's give it to the communities that need it who have been the orphans of the City.

With all due respect, there are some communities who are very effective, and I've said this before. The communities have professional leadership, they've been lucky enough to develop that kind of people who represent them. We all know where those communities are; they get millions and millions and millions of dollars. And they do wonderful things and we need to

encourage it. I don't say don't do it any more, but what I am saying is that those of us who have been given the short stick need to have the support of all of us to be fair to everybody:

And with that in mind, Mr. Onorato, I'm going to draft you. Will you help me get the legislation together on equitable division of allocation of City dollars?

Mr. Onorato:

Yes.

Michelle Madoff:

Thank you.

Mr. Ferlo:

I think Mr. Onorato's comments are well taken. They're actually together with Mr. Ricciardi's comments. I really think we need to blend the two together. I think obviously there's concern about the major regional parks and, as Mr. Wagner repeatedly points out, most of them are not on his side of the river, and that's an important point.

And it reinforces something that Mr. Ricciardi talks about and that is that I don't think it's just an issue of the large, regional, multi-neighborhood parks like Highland Park, Riverview, Schenley, what have you. It's also a question of what is the actual condition of our smaller parochial neighborhood parks, including our ballfields.

I think what really is the issue, and I spoke about it four years ago when the Schenley Park Centennial came about because, in fact, Highland Park is 105 years old and that centennial went unnoticed by the Administration. In fact, a lot of the infrastructure, some very architecturally important

infrastructure in the park is deteriorating unnecessarily.

So, I think we need a creative blend of the issue that Mr. Onorato raised in terms of the four parks and how resources are prioritized in terms of expenditures, but I think obviously we have to be concerned about the small ballfields, the small little parks, the parochial to just a few neighborhoods.

I think what's really needed is a master plan that's not just taking into consideration the four mega parks but what actually is the status. I don't know that we actually have a good audit. I know that we have it for the neighborhoods because all of us as elected officials I'm sure get information about a deteriorated ballpark, or this Little League field needs to be worked on, or this park or this tot lot. But I think we need from the Administration a good audit of what is the condition system-wide, throughout the whole park system of the parks.

And I think we, in Council, as Mr. Onorato says, I think we need to talk about prioritizing the expenditure of limited dollars that we have each year. But, in order to do that, I think that we need to know two things; one, what is the actual condition. If something is bad bad, we should do that first. If something is moderately bad, that's something that could be done in year two or year three. And, as part of that, I think the other thing that we have to grapple with realistically is that we've had a system in place since the early hundreds in this City. And I think that it is time that we need to re-evaluate whether or not we need some things or whether or not we need some other things.

So, I think it is rug-cutting time, City-wide on some of the rug-cutting. Not getting back to Ben Haylar's rug, but it is time to think seriously about what we need to do.

I think I'm beginning to come to the opinion that, if it has to be, I'd rather have fewer parks that are better maintained and actually provide some recreational services than this large infrastructure that we're maintaining and, unfortunately, maintaining poorly. Not in any disrespect to the employees because I think we have a hell of a group that does a lot of good work out there in the parks, but they have dwindling people power and less resources.

So, we need to have a plan. The Administration had brought some people together in the last couple of years; I don't know that we ever got a follow-up from Louise Brown and now Director Young as to where that Parks Citizen Committee met. I don't know if they formulated any recommendations. But maybe between now and the annual budget time we can actually come up with some of these resolutions.

Mr. Cohen:

Mr. President, I do want to hear from Councilman O'Connor who is the Chair of this Committee, but let me just briefly say that it's our parks that are one of the major things that makes the City so magnificent.

I agree with what Councilman Ferlo just said. These standards should be what portion of each park is in the worst repair. That should be the only standard. And if the cabin in Riverview Park is in the worst repair, or one of the worst, then that should be fixed first. Not the park as a whole, I don't think. Schenley Park, for example, is so huge that there are certain aspects of it that are in good repair right now and certain aspects that are in bad. We need a comprehensive plan. That should be the only goal, not what group has political clout or what neighborhood does, but what portion of the park is in the worst repair.

Mr. O'Connor:

To address both issues. I had a meeting with Reggie Young yesterday and it's not complete yet but he does have a plan that he's going to go over with all Councilmembers soon. It's not complete yet. A master plan for all the small parks, just what you were saying, tot lots, ballfields. So, I think he's headed in the right direction there.

I also had a meeting last week with the Western Pennsylvania Conservatory in regard to Schenley Park. Most of that money, they would like us to hire a manager for that park. They're taking Schenley first, Highland could be but I think Schenley is the biggest, and that person is not only in charge of getting the park in shape but also going out and getting grant money. That's where most of this money, hopefully, comes from; grant money and not from our tax dollars. The initial investment may have to come from us.

Again, the paper hits first before they bring it to Council, but I think they have a good plan here. We could work it either way, whether we start at Schenley where that manager is like a general manager where we hire a person to oversee Highland, Riverview, the major parks. That's the long-range goal. But, you know, with the budget cuts, we're not going to go in and invest a lot of money on the parks because that's the last thing -- You're going to buy milk and bread before you go cut your grass or plant seed.

So, I think this is a good example of what private developers can come in to this Conservatory and do something and raise money. The Aviary, the same thing. It looks like they're ahead at the Aviary, so we don't have a tragedy on our hands.

So, I would ask Council to work with these people initially and see where they're headed. And we need a break down on all the

dollars, where they're coming from, so if it is City dollars it will be spread around. But I think that is not the initial plan here.

The Chair:

Has each Councilmember received a report from the Volunteer Committee on Parks and Recreation? No?

Mr. Perry, would you please write Mr. Young a letter, and the Mayor's Office, asking for a copy of that report immediately? And also, a copy of the report that is about to come out on Schenley Park. And as we get both and evaluate both, we can determine if we need to set up a committee consisting of anyone who wants to be on it from Council to take an overall look at our Parks and Recreation infrastructure and what needs to be done with it.

Mr. Ricciardi:

On that note, Mr. Wagner. Could we request a briefing from the Administration on the Schenley Park report that's going to be released before it's released to the media? And give us an opportunity to review it also.

The Chair:

Sure. Please make that part of the letter.

I just want to remind everyone that there's three Councilmembers south and west of the river that represent one-third of the City, one-third of the population, that do not have a regional park. But we're also very concerned about Riverview

and Highland and Schenley and Frick, and also some qualities that we think the south has, like Seldom Seen, the Southside Riverfront Park, and some other regional-type facilities but not as big as those.

Mr. Onorato:

One final comment. Even though I used Riverview as an example because of my briefing that I had on the cabin, what I'm looking for, even if all these dollars come from private foundations and there's no City dollars involved, I'm looking for a plan of all of our areas of the City of how we're going to use the foundation dollars.

So, this isn't just a question of tax dollars versus foundation dollars. I'm looking to the Administration for a master plan of how we're going to address it. And if it means privatizing and using private dollars, that's fine. But, let's do it for the City, not just for the center.

The Chair:

Good point.

Mr. Ferio moved to approve the Minutes of Tuesday, January 28, 1992.

Mr. Cohen seconded the motion.

Which motion prevailed.

And on the motion of Mr. Cohen

Council adjourned.

MUNICIPAL RECORD

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No. 8

Municipal Record

ONE-HUNDRED TWENTY-SEVENTH COUNCIL

JACK WAGNER President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER Asst. City Clerk

Pittsburgh, PA
Tuesday, February 25, 1992

PRESENT:

MR. COHEN	MR. O'CONNOR
MR. DARKINS	MR. ONORATO
MR. FERLO	MR. RICCIARDI
MICHELLE MADOFF	MR. WAGNER
MR. MILLIONES	(Pres't)

The Meeting was opened by the recitation of the Pledge of Allegiance to the Flag of the United States of America, and a moment of silent prayer for peace throughout the world.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Darkins:

Mr. President, I would ask that Patricia Thomas please come forward. We are here today because of many reasons, mainly because this is Black History Month all over the world. For this cause, it has been my pleasure to celebrate with some of my people, African-American people whom I feel are worthy to be honored today.

Mr. Darkins presents

No. 331 WHEREAS, for over 20 years Patricia Thomas has given her time and energy to encourage parents to make education a priority for their children; and

WHEREAS, in 1971 Patricia Thomas became Head Parent Involvement Worker for Pittsburgh Public School's Head Start Program, a comprehensive pre-school program designed to develop pre-school children's capabilities to meet future challenges during their education; and

WHEREAS, Patricia Thomas spends many hours encouraging parents to be an active participant in their child's classroom learning and works with them to improve parenting skills, leadership ability and heighten self-worth; and

WHEREAS, Patricia Thomas has received many awards for her commitment to the success of Head Start, including the National Head Start Staff Association Special Recognition

Award, Dedicated and Unselfish Service Award to Head Start Children, Outstanding Contribution and Leadership as a member of the National Head Start Parent Involvement Task Force Award and Dedicated Service to the Pennsylvania Head Start Staff Association Award; and

WHEREAS, Patricia Thomas is a member of the Western Pennsylvania Head Start organization, the Pittsburgh Public Schools Parent/Community Involvement Steering Committee, participates on the South West Community Development Board of Directors, is a Member of the Board of Directors for the Women's Center and Shelter of Greater Pittsburgh, and a former member of Esplan Food Share Program; and

WHEREAS, Patricia Thomas holds a Bachelor of Arts Degree in Urban & Community Affairs from the University of Pittsburgh and an Associates Degree in Child Development and Child Care from Community College of Allegheny County; and

WHEREAS, Patricia Thomas has been married for forty years, is the mother of five children and grandmother of six, and is a 24-year member and Sunday School teacher at Community of Reconciliation.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh acknowledges Patricia Thomas as a woman who gives unconditionally to parents and children the motivation to become a participant in Head Start, a program that enhances our future leaders' opportunity for high achievement and success.

Mr. Darkins moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mrs. Thomas:

Good morning City Councilman Darkins, City Councilmembers, and members of the audience.

City Councilman Darkins and Councilmembers, thank you for recognizing me as an African-American woman who has helped enhance the lives of many parents and children who have participated in the Head Start Program over my 20 years of service as the Parent Involvement Volunteer Coordinator.

This award could not have been possible without the continued support of the Head Start staff and parents of the Pittsburgh Public Schools Division of Early Childhood. As we have endeavored to recruit approximately 19,000 children and have seen or involved their parents in making a difference in the social and emotional growth and development of their children before they enter into the kindergarten program. These parents and children may well be our future leaders of tomorrow, and many of these parents are leaders in some capacity in our society today.

I also would like to thank my family and Church for the support they have given to me over the many years I have been involved in community services. Thank you.

Mr. Darkins:

If Ms. Jean Swann Farrish would please come forward from the Pittsburgh Courier.

Mr. Darkins presents

No. 332 WHEREAS, Jean Swann Farrish retired from Westinghouse Electric Corporation but continued to write for the New Pittsburgh Courier; and

WHEREAS, Jean Swann Farrish's presence is often requested at social and civic events; and

WHEREAS, Jean Swann Farrish has the reputation for being an objective, skilled writer who reports information accurately and thoroughly; and

WHEREAS, Jean Swann Farrish's writing career began over 30 years ago as a columnist for the National Achievement Clubs and the Hill City News; and

WHEREAS, as a notes editor for the old Pittsburgh Courier, Jean Swann Farrish was responsible for editing national and local columns; and

WHEREAS, on February 23, 1992, Jean Swann Farrish received the Alleghenians Lts. Excellence in Leadership Award, and has received other honors which include Iota Phi Lambda Soror of the Year and the Westinghouse Electric Corporation Volunteer Award for her efforts in securing United Way pledges, giving time to WQED TV auction and the Three Rivers Arts Festival; and

WHEREAS, Jean Swann Farrish is a native Pittsburgher, a lifelong resident of Homewood and East Liberty, a member of the Holy Cross Church, Women's Press Club, the Urban League, the American Association of Retired Persons, and is on the Board of Directors for Tri-Rivers African American Archives, Inc.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh recognizes Jean Swann Farrish as a talented writer dedicated to her craft and the readers she serves.

Mr. Darkins moved to adopt the resolution.

Mr. Cohen moved to adopt the resolution.

Which motion prevailed.

Mr. Darkins:

Congratulations, Jean Farrish; you're one of my favorites.

Ms. Farrish:

I would like to thank City Council, and in particular Councilman Darkins, for this recognition. I find myself a little bit surprised to be on the opposite end of the coin. I'm usually writing about other people. I want you to know that I appreciate this very much. Thank you.

Mr. Darkins:

Thank you, Mr. President and colleagues, for being so patient with us because this is a great month in all of our lives and we don't get this opportunity to do this very frequently in regards to honoring people.

I have as my final resolution today several people that are being honored by Renaissance Too Magazine and I would ask that all of the awardees come forth at this time. Ms. Williams and also Connie Portis, the Trailblazers.

Mr. Darkins presents

No. 333 WHEREAS, on March 14, 1992 Renaissance Too Magazine will pay tribute to ten African American heroes; and

WHEREAS, in 1942 Lillian Allen became the first African American woman to be certified in Vocational Education by the University of Pittsburgh, leading the way for others to become skilled tradesmen; and

WHEREAS, Ralph O. Barnett, Sr.'s law enforcement career began in 1938. He retired from the force in 1965 as a respected and skilled professional law enforcement officer; and

WHEREAS, Mrs. Gertrude Bell-Johnson, a gifted soprano, was soloist in "La Traviata" with the National Negro Opera Company and at the age of ninety-two continues to share her talent with others; and

WHEREAS, Dr. William Cuthbert maintained a successful dentist practice for over fifty-nine years. His credentials and presence in the African American community encouraged others to be healers of men; and

WHEREAS, Mrs. Gladys C. Harper, a veteran fighter for equal rights, led many crusades against injustice to mankind. Her determination challenged many boundaries, creating new vision for African Americans; and

WHEREAS, Mr. Tennie Harris opened his photography studio in 1932. His works are a permanent record of African Americans' achievements and contributions to mankind; and

WHEREAS, Reverend Catherine Hill, Assistant Pastor at South Park Sunrise Baptist Church, dedicates her life influencing others to have respect for their fellow man; and

WHEREAS, Anne R. Jones earned a Doctorate in Higher Education from the University of Pittsburgh and advanced to a full tenured Professor. Dr. Jones' deeds encouraged many to pursue higher education; and

WHEREAS, Mrs. Thelma Lovette gave for over 40 years without expecting to receive. She was a first to serve on several Board of Directors. Her efforts paved the way for many to know the meaning of giving back; and

WHEREAS, Mr. Wyatt Williams retired from the federal government after 35 years of dedicated service to his position and peers. Often he stood alone when fighting to improve conditions for his fellow worker.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh honors the 1992 Trailblazers as African Americans who stood up in times of rejection and adversity, demanding that African Americans' rights as humans not be cast aside, but be rightfully acknowledged.

Mr. Darkins moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Darkins:

We're going to have Connie Portis come to speak for these Trailblazers because the affair is approaching and it's going to be quite an evening of festivities. And I must even also commend Connie Portis from Renaissance Too Magazine for the outstanding job and looking beyond and above and around and considering these veterans that have served us well.

Ms. Portis:

It's kind of hard. I can't speak on behalf of them because they certainly have done so much in their careers. We have over 700 years here of giving to make this community what it is today. These Trailblazers have led the way spiritually, culturally, in business, education, health and community service. We are all, all Pittsburghers are truly indebted to them.

On behalf of our Renaissance Too Advisory Board and the Trailblazers and myself, I want to say thank you to Council for taking the

time out to do this, not only today but all month long honoring Black Americans who have helped Pittsburgh become known as the Most Livable City. It could not have achieved that level without our participation.

Most of all, I want to say to Councilman Darkins, you don't know what it means to us for you to have begun this effort, three years now, during Black History Month. At no time before did Council stand up and take notice of what Black Americans have contributed to this City.

So, I want to say thank you. If I can at this time speak on behalf of the Black community, thank you, Reverend Darkins, for your unselfishness and for putting us in the history books.

Mr. Ferlo presents

No. 334 WHEREAS, James R. Banze, Sr., now deceased, served in the U.S. Army from August 25, 1949 until November 5, 1952 when he received an honorable discharge; and

WHEREAS, James R. Banze, Sr. will be honored for his bravery in the Korean War and his award of the Silver Star at his induction into the Hall of Valor, Soldiers and Sailors Hall in Oakland, by the Morningside V.F.W. Post No. 3945 on Sunday, March 1, 1992; and

WHEREAS, James R. Banze, Sr. was born July 7, 1929, grew up in the neighborhood of Stanton Heights, was a member of St. Raphael's Roman Catholic Church, and a Pittsburgh Firefighter; and

WHEREAS, James R. Banze, Sr. married the former Joan Rupp in 1956 and to that union four children were born -- James, Jr., Kathleen, Carol and Patricia who also served her country proudly in Desert Storm; and

WHEREAS, James R. Banze, Sr. was with the Headquarters Company 2nd Battalion, 32nd Infantry when he was awarded the Silver Star in Korea.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize James R. Banze, Sr.'s bravery in the service to his country and proclaims Sunday, March 1, 1992 as "James R. Banze Day" in the City of Pittsburgh.

Mr. Ferlo moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. Milliones:

Would the elementary school students and their teachers please come forward? The students from Madison, McKelvy, Martin Luther King, Miller, Vann and Weil.

Members of Council and Mr. President, it gives me a great deal of pleasure to move the following resolution.

Mr. Milliones presents

No. 335 WHEREAS, Chorus Members from various schools throughout the City of Pittsburgh participated in the 1st Annual Senior Citizens Christmas Party at several Senior High-Rises during the month of December, 1991; and

WHEREAS, the Chorus Members who attended the Christmas Party were from the following Elementary Schools: Martin Luther King, Jr., Madison, Manchester, McKelvy, Miller, Robert L. Vann and A. Leo Weil Elementary; and

WHEREAS, the Chorus Members from

the Elementary Schools provided entertainment in the form of a Christmas Program for the Senior Citizens of this great City who have helped build the community in which we live today; and

WHEREAS, the Senior Citizens who shared in the Christmas Programs reside in the following high-rises: Addison Terrace, Allegheny Union Baptist Plaza, Ebenezer Towers, Finello Pavillion, PA Bidwell, the K. LeRoy Irvis High-Rise and West Park Court; and

WHEREAS, the Chorus Members have performed a meaningful and valuable community service at an early age which signifies people helping people and bridging the generation gap.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby gives recognition to the City schools who participated in this program, and commends each and every Chorus Member for "reaching out" to the Senior Citizens of this City.

Mr. Milliones moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Milliones:

Mr. President and Members of Council, it gives me a great deal of pleasure to honor these young people for participating in the Christmas Program which I just described over Christmas. I think it too often we criticize our youth and we criticize our young and say that they're doing things that are not beneficial to society when, in fact, these young people participated in meeting with and singing with and interacting with senior citizens at a time when it seems to me that it was most needed.

Just yesterday I spoke to the Superintendent of Schools and suggested to him that we might try a program such as, for the lack of a better phrase or description, "Adopt a Senior Citizen High-Rise" for these young people to do on a regular basis, not just at Christmastime but throughout the year. He felt that that was a good idea, so we want to get together and see if we can kind of work out a program City-wide with respect to our senior citizens.

It seems to me that it's very important that we make the connection between our older folks and our younger folks.

At this time I would like to have Ms. Susan Hill from Vann Elementary School who will speak on behalf of the teachers, and the students' spokesperson will be Jamel Dobson from Martin Luther King School.

Ms. Hill:

Thank you, Councilman Milliones, and City Council.

On behalf of the music teachers of the City, it is our privilege and honor to have done what we did and, of course, one day some of us might be senior citizens.

I am from Vann Elementary School, and one of my students said, "Ms. Hill, we made them cry." And I said, "No, we didn't make them cry; we moved them."

When you're with senior citizens, all of us who are lucky enough to be able to live to be a great age, and still be able to walk around real good, we are very happy. But when we are young and we're able to do other things for older people, it really does something for everyone.

So, on behalf of all of the music teachers and all the students right here, it's too bad we

couldn't bring all of our choruses but we wouldn't fit in here today, we would like to thank you very much for the honor of receiving our awards. We'll take them back to our schools and tell everyone. Thank you.

Mr. Milliones:

I might add that there were over 219 students who participated.

Jamel Dobson:

I would like to thank all the schools that participated, and I'd like to thank Councilman Milliones for bringing us here and giving us this award and everything. I'd like to thank you all for coming. And I'd like to thank all the music teachers and I'm sorry we couldn't bring our chorus but that's just us.

Mr. Milliones:

We hope to have a bigger and better program next year.

Mr. President and Members of Council, I would like to move the following resolution.

Mr. Teenie Harris, would you come forward, please? It seems that this is the second time that he has been honored today. That says something about this young man's stature in the community.

Mr. Milliones presents

No. 336 WHEREAS, Charles "Teenie" Harris was born on July 2, 1908, in Pittsburgh, Pennsylvania, raised on Fulton Street (next door to the Loendi Club), and attended Franklin, McKelvy, and Watt Street Schools where he completed the eighth grade, and born into a family of entrepreneurs: his brother, William A. Woogie Harris, owned Harris' Crystal

Barbershop in the 1400 block of Wylie Avenue; his brother, George Harris, owned Harris' Confectionary at 2121 Wylie Avenue; and his mother, Ella Mae Harris, owned and managed the 22-room Maceo Hotel at 2011 Logan Street; and

WHEREAS, Charles "Teenie" Harris managed the Watt Street baseball team, was partially responsible for organizing the Pittsburgh Crawfords, and played shortstop for this renowned Negro team, winning the 1926 Pennant in the City's Recreation League; and

WHEREAS, Charles "Teenie" Harris' first employment involved running errands for his brothers Woogie and George, and his salary enabled him to buy a 4 x 5 speedographic camera to launch his career as a free-lance photographer, and eventually "Teenie" began submitting photographs to the Negro-owned Flash Magazine of Washington, D.C.; and

WHEREAS, when William "Woogie" Harris told "Teenie" that he could not make a living taking pictures, Teenie replied, "If you give me \$350, I'll show you that I can make money"; and with this money Teenie opened Harris Studio at 2128 Centre Avenue in the Hill District in 1934, with 10 employees; and

WHEREAS, "Teenie's" photographic expertise was admired by John Taylor of The Pittsburgh Courier and Charles "Teenie" Harris was offered and accepted employment with this newspaper at a salary of \$60 per week; and

WHEREAS, "Teenie" Harris has taken over 80,000 photographs in his 60 year career as a photographer, capturing various aspects of African-American Pittsburgh and his photographic collection includes celebrities such as Lena Horne, Jackie Robinson, Joe Louis, Sammy Davis, Jr., Billy Eckstein, the Pittsburgh Crawfords and the Homestead Grays, and events at Howard and Hampton Universities, Virginia

State University, beauty pageants and cotillion balls; and

WHEREAS, "Teenie" Harris has stated that, "If it was possible for me to live my life over again, I would not change one day."

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh recognizes Charles "Teenie" Harris who has recorded a photographic history of the African-American community from the 1930s - 1960s in Pittsburgh, Pennsylvania, and proclaims Tuesday, February 25, 1992 as "Teenie Harris Day" in the City of Pittsburgh.

Mr. Milliones moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Harris:

I'm not going to make a long speech now. I'm just going to say that all the work that I did shows for itself. Thank you very much.

Michelle Madoff:

We need to get some of your work, since you probably have a history of the community, into some art gallery, into a showing of your works. I'm suggesting that everybody get to see it, the public.

The Chair:

Thank you.

Mr. O'Connor presents

No. 337 WHEREAS, the Pittsburgh Savoyards were founded in 1938 as a small club in which devotees could gather to sing the

popular music of William S. Gilbert and Sir Arthur Sullivan, and have entertained several generations of Pittsburghers with their presentations of marvelous music and pointed satire since that time; and

WHEREAS, the Pittsburgh Savoyards are among the oldest continuously existing theater groups in the City, if not the oldest; and

WHEREAS, the Pittsburgh Savoyards have showcased some of the finest amateur and professional talent in the community, taking their performers from a wide spectrum of professionals, including law, construction, nuclear physics, and more, but all united by an ongoing dedication to the group and a love of the works of Gilbert and Sullivan; and

WHEREAS, in this age of rising ticket prices, smaller-scale theatrical productions and tight budgets, the Pittsburgh Savoyards continue to bring lavish productions to the main stage, featuring its own full orchestra, at a price which the average family can afford; and

WHEREAS, the existence Pittsburgh Savoyards contributes to a strong and active theatrical community, which is an integral and vital part of a culturally thriving City such as Pittsburgh; and

WHEREAS, the Pittsburgh Savoyards are a great asset to the City of Pittsburgh, and committed to continuing to present fresh and vivacious presentations of these vigorous century-old works into the next century and beyond, preserving the charm and cultural heritage of live theater for future generations.

NOW, THEREFORE, BE IT RESOLVED, that the week of February 23 to March 1, 1992 shall be known as "The Pittsburgh Savoyards Week" in the City of Pittsburgh, with all the honor and privilege thereof.

Mr. O'Connor moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. Harland:

On behalf of the Savoyards, I'd like to thank Councilman O'Connor and the rest of Council for the recognition of the Savoyards. It is indeed a community-based organization and it depends upon community support. The productions are on this weekend and next weekend, so come on out and see us and have a good time. The initial reviews have been enthusiastic. Thank you.

Mr. O'Connor presents

No. 338 WHEREAS, Kollel Bais Yitzchok Institute for Torah Studies of Greater Pittsburgh has been in existence for fourteen years and is devoted to promoting Torah scholarships and training young men in this pursuit through the graduate Rabbinic Fellowship Program; and

WHEREAS, the scholars at the Kollel Bais Yitzchok Institute share their insight and knowledge with the community at no cost, providing a vital and invaluable resource to those, both observant and non-observant, who seek to enrich their awareness of Jewish learning and heritage; and

WHEREAS, on 19 Adar I 5752 - February 23, 1992, the Kollel Bais Yitzchok Institute will celebrate its fourteenth anniversary and will honor Rabbi Shaul Kagan, the Founder and Dean of the Kollel; and

WHEREAS, Rabbi Shaul Kagan, through his sense of faith and recognition of his

duty to educate, has given tirelessly of himself to further the cause of scholarship and provide those of the Jewish faith a path to their roots. As Rabbi Kagan said, "Identity is knowledge with inspiration."; and

WHEREAS, Rabbi Shaul Kagan's efforts not only enrich and enhance those of the Jewish faith but also contribute to the cultural and religious enrichment of all of the citizens of the City of Pittsburgh.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh congratulates Rabbi Shaul Kagan for his outstanding and much appreciated contributions to the citizens of Pittsburgh and wish him well on the occasion of the fourteenth anniversary of the Kollel Bais Yitzchok Institute.

Mr. O'Connor moved to adopt the resolution.

Mr. Ricciardi seconded the motion.

Which motion prevailed.

Mr. O'Connor:

It's an honor and a pleasure to present this to Rabbi Kagan. He's an asset to not only our community but to the whole City of Pittsburgh.

Rabbi Kagan:

President of the Council, Councilmembers, and Councilman O'Connor. Our community, our Institute and I, are deeply grateful to all of you for this very rare honor.

Certainly much of the success which we achieved was only made possible because of the peace and harmony in the City and it's enlightened leadership. We do believe that education, values, identity, enhance the entire community and I am glad it has been able to do

something for the people.

Thank you all and God bless you.

Mr. Onorato:

I'd like to call Winnie Evans or Marlene Evans, her daughter, to come forward. And Eberline David.

Mr. Onorato presents

No. 339 WHEREAS, Winnie Evans was born in Pittsburgh on April 18, 1942, was married to the late Walter Evans, and raised seven children; and

WHEREAS, Winnie Evans is a member of The Northview Heights Citizens Council; and

WHEREAS, Winnie Evans is involved with "Chapter One" of the Board of Education; and

WHEREAS, Winnie Evans volunteered at The Northview Elementary School as a supervisor for the Lunch Program; and

WHEREAS, Winnie Evans is a member of The Cornerstone Church of God and Christ; and

WHEREAS, Winnie Evans is working to establish a Grandmother's Support Group while also helping to raise her grandchildren.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh commends Winnie Evans for her outstanding efforts in the Northview Heights community.

Mr. Onorato moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Onorato:

If I'm not mistaken, Winnie is under the weather or in the hospital, but will be returning home very shortly. Her daughter, Marlene, is here to say a few words, and good friend, Eberline David, is with her.

Ms. Evans:

I'd like to thank every one of you for honoring my mother on her behalf. And pray for her, please. Thank you.

Mr. Onorato presents

No. 340 WHEREAS, Jeanie Hipkins of 255 East Ohio Street recruited members from the North Side Allegheny Commons area and founded The Children of Love Theater, in July of 1990, in Pittsburgh; and

WHEREAS, the troupe began with Jeanie Hipkins, her children, Tara Wise and Anthony, a sister, Iris Braxton and a niece, Iris Joy Brown, and has grown to include 28 steady participants but has, at times, had as many as 60 members; and

WHEREAS, the goal of this troupe is to promote healthy citizenship, direct children's energy in a positive way, and enhance the futures of youth through group interaction; and

WHEREAS, Jeanie Hipkins and The Children of Love Theater encourage youth to stay off of the streets and off of drugs, and offers an alternative to children who have nothing to do, raises self-esteem and teaches self-discipline and respect of others; and

WHEREAS, the group performs dance,

mime, gospel and upbeat raps with anti-drug messages for organizations and recreation centers; and

WHEREAS, Jeanie Hipkins and The Children of Love Theater received an invitation and performed at The White House on December 27, 1991 as part of the holiday festivities; and

WHEREAS, the group has been nominated for the 1992 President's Annual Points of Light Award which recognizes those who are involved in solving social problems, serving others and helping those in need; and

WHEREAS, Jeanie Hipkins and the members of The Children of Love Theater have played a vital role in the development of youth in the community and have used their talents and energies to keep children occupied in productive ways.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh recognizes Jeanie Hipkins and the members of The Children of Love Theater for their outstanding contributions to the development of the self-esteem, character and citizenship of the young people in the community and joins in congratulating them on their efforts.

Mr. Onorato moved to adopt the resolution.

Mr. Milliones seconded the motion.

Which motion prevailed.

Ms. Wise:

On behalf of my mother, Jeanie Hipkins, and The Children of Love Theater, we thank you.

The Chair:

Thank you.

Mr. Ferlo:

I'd like to ask Mr. Cohen and Mr. Milliones to come up, please. We co-sponsored a resolution today and I would ask Dave Voelker, Vice-President of Don Allen Chevrolet, to come forward.

Mr. Ferlo, Mr. Milliones and Mr. Cohen present

No. 341 WHEREAS, Don Allen Chevrolet, located on Baum Boulevard at the gateway to Bloomfield, recognizes the importance of quality education in Pittsburgh's public, private and parochial schools; and

WHEREAS, Don Allen Chevrolet believes that private businesses also have a role to play in the overall effort to improve the quality of educational opportunities for our young people; and

WHEREAS, Don Allen Chevrolet is taking the lead with an innovative concept known as "Driving For Education", which will allow Don Allen Chevrolet to help place needed computers, audio-visual equipment and encyclopedia sets in Pittsburgh schools in return for parent and community volunteer groups recruiting citizens to test drive a new GEO or Chevrolet with no obligation to buy; and

WHEREAS, Don Allen Chevrolet's "Driving For Education" campaign anticipates placing at least one MacIntosh computer in each Pittsburgh school and, with success, will repeat this initiative next year; and

WHEREAS, the placement and availability of these educational classroom aids will not only help financially strapped educational institutions but will provide students with new learning opportunities to advance their

skills and increase their expertise to participate in the future work force.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh commends Don Allen Chevrolet for launching the innovative "Driving For Education" program and for taking a leadership role among Pittsburgh area businesses in assisting the goals of quality education; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh declares March, 1992 as "Don Allen Chevrolet - Driving For Education Month" in the City of Pittsburgh and encourages Pittsburgh residents to test drive a new Chevy or GEO -- at no obligation to buy -- to ensure the success of this campaign.

Mr. Ferlo moved to adopt the resolution.

Mr. Milliones seconded the motion.

Which motion prevailed.

Mr. Ferlo:

I haven't test driven one yet but I'm going to be out there this week to do that.

We had a great luncheon-dinner. Dr. Milliones was there. Councilman Cohen is very supportive of this program also. And the Mayor herself was there for the luncheon; she was the first person to test drive a very slick looking station wagon, a beautiful car, a Caprice Wagon. She drove it right out of the storeroom with no problem and she brought it back with no problem. She has a license, yes.

What is important is that the Mayor kicked off the campaign and, just to explain very quickly, at the luncheon that kind enough to be hosted by Don Allen Chevrolet, there were representatives of various public schools that I

noticed, parochial and other private schools. The volunteers are off and running. And for many of you out in the audience who are volunteers, you know that it takes a lot of work and energy to raise money for good causes. Here's a really easy way to get some very valuable educational tools in your school, be it computers or encyclopedia sets. And it only involves getting people to go in and test drive a new Chevy or a GEO, building up points with Don Allen purchasing the equipment.

At this time, I'd like to introduce Mr. Voelker, Vice-President of Don Allen. And I would also like to call on my colleagues to say a few words in support of the program.

Congratulations, and please explain a little further.

Mr. Voelker:

There is no obligation to The Driver Education Program. It's just a way for us to orientate the City of Pittsburgh to our program. After being in business for 41 years in the City of Pittsburgh, we feel, with due respect, to return and give back to the community. It's just a nice way, a gesture, providing for the educational tools for the City schools.

Thank you, Jim Ferlo, and the rest of Council. Thank you.

Mr. Ferlo:

My two colleagues are speechless, but they're going to be going out and test driving the two cars.

Again, I encourage all my colleagues and all of you in the audience. It was so good that so many educational proclamations were today, and I'm hoping the word will get out. There's still volunteers needed for the program and, obviously, we're encouraging all Pittsburghers to

go down to Don Allen Chevrolet, test drive a new car, and let's support Pittsburgh area businesses. Thank you.

Mr. Cohen presented

No. 293 Resolution providing for an Agreement or Agreements with the URA of Pgh. for a Cooperation Agreement and a Consultant or Consultants for the purpose of providing architectural and design services, consumer surveys and market studies, promotional activities, commercial revitalization planning assistance, technical assistance and business district management in various neighborhood business districts as part of the City's Neighborhood Business District Revitalization Program, at a cost not to exceed \$40,000.00, chargeable to and payable from the 1992 Department of City Planning, Misc. Services, Code Account 1103.

Also,

No. 294 Resolution providing for an Agreement or Agreements with the Western Pennsylvania Conservancy for the Community Self-Help Beautification and Community Gardening Programs in Community Development neighborhoods, and for the development of floral beds on highly visible vacant lots in the City at a cost not to exceed \$25,000.00, chargeable to and payable from the Western Pennsylvania Conservancy, Department of City Planning (NPA).

Also,

No. 295 Resolution authorizing the URA of Pgh. to submit an application for financial assistance in the amount of \$300,000.00 to the Pennsylvania Department of Community Affairs for the Neighborhood Housing Program.

Also,

No. 296 Resolution authorizing a 1992 Neighborhood Housing Program Cooperation Agreement with the URA of Pgh. providing for the designation of \$300,000.00 of Pittsburgh Home Ownership Program funds and private funds as the local matching share for a grant applied for in an application for financial assistance filed with the Pennsylvania Department of Community Affairs.

Also,

No. 297 Resolution authorizing the URA of Pgh. to submit an application for financial assistance in the amount of \$375,000.00 to the Pennsylvania Department of Community Affairs for the Housing Recovery Program.

Also,

No. 298 Resolution authorizing a 1992 Housing Recovery Program Cooperation Agreement with the URA of Pgh. providing for the designation of \$375,000.00 of Housing Revenue Bond funds as the local matching share for a grant applied for in an application for financial assistance filed with the Pennsylvania Department of Community Affairs.

Also,

No. 299 Resolution authorizing the URA of Pgh. to submit an application for financial assistance in the amount of \$400,000.00 to the Pennsylvania Department of Community Affairs for the Penn-Liberty Streetscape Improvements Program.

Also,

No. 300 Resolution authorizing a 1992 Penn-Liberty Streetscape Improvements Program Cooperation Agreement with the URA of Pgh. providing for the designation of

\$400,000.00 of City bond funds and private foundation grants as the local matching share for a grant applied for in an application for financial assistance filed with the Pennsylvania Department of Community Affairs.

Also,

No. 301 Resolution authorizing the URA of Pgh. to submit an application for financial assistance in the amount of \$125,000.00 to the Pennsylvania Department of Community Affairs for the East Liberty Industrial Center Project.

Also,

No. 302 Resolution authorizing a Cooperation Agreement with the URA of Pgh. for the East Liberty Industrial Center Project providing for the designation of \$125,000.00 of Pittsburgh Water and Sewer Authority and private utility funds as the local matching share for a grant applied for in an application for financial assistance filed with the Pennsylvania Department of Community Affairs.

Also,

No. 303 Resolution authorizing the URA of Pgh. to submit an application for financial assistance in the amount of \$110,000.00 to the Pennsylvania Department of Community Affairs for the Doughboy Square Bank Buildings Project.

Also,

No. 304 Resolution authorizing a Cooperation Agreement with the URA of Pgh. for the Doughboy Square Bank Buildings Project providing for the designation of \$110,000.00 of CDBG Funds, foundation grants and private lender funds as the local matching share for a grant applied for in an application for financial assistance filed with the Pennsylvania

Department of Community Affairs.

Also,

No. 305 Resolution authorizing the URA of Pgh. to submit an application for financial assistance in the amount of \$375,000.00 to the Pennsylvania Department of Community Affairs for the Lawrenceville Industrial Site Project.

Also,

No. 306 Resolution authorizing a Cooperation Agreement with the URA of Pgh. for the Lawrenceville Industrial Site Project providing for the designation of the local matching share for a \$375,000.00 grant applied for in an application for financial assistance filed with the Pennsylvania Department of Community Affairs.

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Ferlo presented

No. 307 Resolution transferring the sum of \$1,000.00 from Code Account No. 1001-2, Salaries and Wages as needed, Council District #7, to Code Account Graffiti Trust Fund.
---(SPONSORED BY MR. FERLO)

Also,

No. 308 An Ordinance supplementing the Pittsburgh Code, Title Four - Public Places and Property, Article VII - City Realty, Chapter 452, Acquisition of City Property, by adding Section 452.02 - Council's Legislative Process for Real Estate Transactions.
---(SPONSORED BY MR. FERLO)

Which were read and referred to the Committee on Finance.

Also,

No. 309 An Ordinance amending the Pittsburgh Code of Ordinances, Title One - Administration, Article VII - Procedures, Chapter 161 - Contracts, Section 161.12 BID AND PERFORMANCE BONDS, Section 161.13 BONDS ON SMALL CONTRACTS. --- (SPONSORED BY MR. FERLO)

Which was read and referred to the Committee on General Services.

Mr. Millones presented

No. 310 Communication from Melanie Smith, Director, Department of Personnel and Civil Service Commission, requesting approval for attendance of John Turyan (non-city employee) to attend the 1992 National PIC Chairs Forum in Washington, D.C., at a cost not to exceed \$1,171.00, payable from the JTPA-1 Trust Fund, Index Code 260307.

Which was read and referred to the Committee on Finance.

Mr. Millones moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Onorato seconded the motion.

Which motion prevailed.

Also,

No. 311 Resolution authorizing the issuance of a warrant in favor of Sedgwick James and Company in the amount of \$108,333.40 in payment for professional services in connection with Administration of the City of Pittsburgh

Workers Compensation program, chargeable to and payable from Code Account 44, Workers Compensation, Department of Finance.

Also,

No. 312 Resolution providing for the issuance of a \$2,461.95 warrant in favor of John B. Moore for automobile damage to claimant's motorcycle when struck by a City police vehicle on Mazette Road on June 27, 1990, payable from Code Account No. 46, Judgments.

Also,

No. 313 Resolution providing for the issuance of a \$828.00 warrant in favor of Justin and Florence Johnson in settlement of claim for sidewalk damage at 4915 Bayard Street, payable from Code Account No. 46, Judgments.

Also,

No. 314 Resolution further amending and supplementing Resolution No. 1294 approved 12/20/91, as amended by Resolution No. 67 approved 2/4/92, effective January 1, 1992 entitled: "Making appropriations to pay the expenses of conducting the Public Business of the City of Pittsburgh and for meeting the debt charges thereof for the fiscal year, beginning January 1, 1992," by making certain additions and corrections. --- (SPONSORED BY MR. MILLIONES)

Also,

No. 315 Resolution amending and supplementing Resolution No. 1295 of 1991, approved 12/20/91, and effective January 1, 1992 entitled: "Resolution fixing the number of officers and employees of the City of Pittsburgh, and the rate of compensation thereof, and setting minimum levels for designated positions," by making certain additions and corrections.

---(SPONSORED BY MR. MILLIONES)

Also,

No. 316 Resolution providing for an Agreement or Agreements with qualified vendors or leasing agents for the purchase, lease and or lease/purchase of software and hardware associated with the Department of Public Safety Parking Enforcement Handheld Ticketing and Management System for a period of three years and providing for the payment of the cost thereof.

Also,

No. 317 Resolution providing for an Agreement or Agreements with qualified vendors or leasing agents for the purchase, lease and or lease/purchase of software and hardware associated with the Department of Law Case Management System for a period of three years and providing for the payment of the cost thereof.

Also,

No. 318 Resolution providing for an Agreement or Agreements with qualified vendors or leasing agents for the purchase, lease and or lease/purchase of software and hardware associated with the Department of Public Safety Building Inspection Management System for a period of three years and providing for the payment of the cost thereof.

Which were severally read and referred to the Committee on Finance.

Michelle Madoff:

Point of Order. I noticed that the James Sedgwick bill is coming up tomorrow which, I believe, addresses the Workers' Comp. I would like to be sure that we have data tomorrow, that they are here and that somebody from the Administration is here to update us on the status

because I'm the one that discovered a number of years ago that we had gone from \$30,000 to \$60,000 in three years. I want to know where we are.

We've had some tremendous problems with management of that situation and I'd like to know what the status is.

The Chair:

Mr. Perry, please make sure the appropriate people are here.

Mr. O'Connor presented

No. 319 Resolution providing for an Agreement or Agreements with an independent contractor for the purpose of serving as an administrator to the Pittsburgh Council on Aging for the benefit of the residents of the City of Pittsburgh, at a cost not to exceed \$40,000.00, chargeable to and payable from Code Account 1843, Dept. of Aging in the Dept. of Parks and Recreation.

Which was read and referred to the Committee on Parks and Recreation.

Mr. O'Connor moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Cohen seconded the motion.

Which motion prevailed.

Michelle Madoff:

I would like to point out that due to circumstances beyond the control of the City Clerk's Office, the transcription of the Minutes, the meeting where I discussed the Senior Citizen

Program and addressed the issue of what has happened, is not ready and I will have a copy of it, hopefully, by the end of today.

I would like to make sure that when we discuss that, I have all the information and I may find that by tomorrow I would like to not take it up as a Rule 8 and keep it until next Wednesday. But we'll decide that tomorrow.

The Chair:

We will attempt to get those Minutes prior to tomorrow.

Also,

No. 320 Resolution transferring the amount of \$115,725.56 from Code Account SSFSP, Special Summer Food Service Program Trust Fund to Code Account SPP, Special Parks Programs in the Department of Parks and Recreation. This transfer is necessary to provide funds for various programs in the Department of Parks and Recreation.

Which was read and referred to the Committee on Finance.

Also,

No. 321 Resolution providing for an Agreement or Agreements with Dairy Barn Southeastern Ohio Cultural Arts Center, an independent contractor, for the purpose of providing a quilt display at Phipps Conservatory at a cost not to exceed \$6,000.00, chargeable to and payable from Phipps Conservatory Trust Fund, Department of Parks and Recreation.

Also,

No. 322 An Ordinance supplementing the Pittsburgh Code, Title One, "Administrative", Article III, "Organization", Chapter 139,

"Department of Parks and Recreation", by adding Section 139.03, "Adopt-A-Park Volunteer Program," authorizing the establishment of an Adopt-A-Park Volunteer Program within the City of Pittsburgh and providing for the implementation thereof.

Which were read and referred to the Committee on Parks and Recreation.

REPORTS OF COMMITTEES

Mr. Millones presented

Bill No. 323

Report of the Committee on Finance for February 19, 1992 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 199

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Healy, Davidson & Hornack, Attorneys at Law, Fifth Floor, Law and Finance Building, Pittsburgh, PA 15219, in the amount of \$498.00 in payment for professional services rendered to Councilman Jim Ferlo." ---**(SPONSORED BY MR. FERLO)**
(AS AMENDED IN COMMITTEE)

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 9 NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 201

A Resolution entitled, "Resolution authorizing the City/School Treasurer to enter into an agreement or agreements with the School District of Pittsburgh for processing of refunds for various taxes and establishing a City and School Refund Trust Fund from which the refunds will be issued."

Which was read.

Also,

Bill No. 202

A Resolution entitled, "Resolution Repealing Resolution No. 672, Item A, effective July 15, 1991, which authorized the sale of property in the 13th Ward, being a 2-1/2 story, brick veneer house and a one story, cement block garage on a lot 30' x 135', located at 7027 Bennett Street, designated as Block 125 M, Lot 9, in Edgar S. Phillips, for the sum of \$12,000.00 as the purchaser is unable to obtain financing and to

continue with the sale would prove a financial hardship."

Which was read.

Also,

Bill No. 203

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties, acquired at tax sales in accordance with Act No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984."

Which was read.

Also,

Bill No. 204

A Resolution entitled, "Resolution providing for conveyance by the City of Pittsburgh by certain property, under Act No. 171 of 1984, entitled "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi

Michelle Madoff Mr. Wagner
Mr. Milliones (Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 159

A Resolution entitled, "Resolution providing for the issuance of a warrant to Milan Brnilovich in the amount of \$100,000.00 in full settlement of claim for personal injuries, and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen Mr. Milliones
Mr. Darkins Mr. O'Connor
Mr. Ferlo Mr. Onorato
Michelle Madoff Mr. Wagner
 (Pres't)

AYES 8 NOES none

(MR. RICCIARDI ABSTAINING)

And there being two-thirds of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 272

A Resolution entitled, "Resolution amending Resolution 71 of 1991 entitled: Resolution amending Resolution 170 of 1990 entitled: 'Resolution authorizing an agreement or agreements with a collection agency or agencies, for professional services in connection with the collection of delinquent taxes, fines, penalties, and interest for the City of Pittsburgh at a cost not to exceed \$275,000' by extending the term and including the 1992 appropriation of \$250,000."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen Mr. O'Connor
Mr. Darkins Mr. Onorato
Mr. Ferlo Mr. Ricciardi
Michelle Madoff Mr. Wagner
Mr. Milliones (Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Darkins presented

Bill No. 324

Report of the Committee on Public Works for February 19, 1992 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 270

A Resolution entitled, "Resolution providing for a Contract or Contracts, or the use of existing Contracts, for sidewalk repair of the bridge deck on Bigelow Boulevard at Commonwealth Place at a cost of \$5,000 or more, but less than \$10,000, chargeable ■ and payable from Public Property Sidewalk Program, 03-01-30-0045-92, Index Code _____." ---**(SPONSORED BY MR. FERLO)**

Which was read.

Mr. Ferlo:

This bill was submitted pursuant to the significant and dangerous problem that exists on the sidewalk as you go up to the Civic Arena which thousands of people use each week. There was preliminary debate and discussion. It was obvious that Director Sciulli and probably the Director of Public Works, Mr. Walluk, need to meet and give a report to Council.

With Mr. Darkins' permission, I'd like to suggest that this bill be recommitted to get an update from them. There is legal question ■ to who would actually be responsible for the bridge repair. So, I make ■ motion to recommit.

Michelle Madoff seconded the motion.

WHICH MOTION PREVAILED.

Mr. Cohen presented

Bill No. 325

Report of the Committee on Planning, Housing and Development for February 19, 1992 transmitting one ordinance and sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 8

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 921, Section 921.02, Zoning District Map No. 13 by changing from 'R4' Multiple Family Residence District and 'S' Special District to 'AP' Residential/Commercial Planned Unit Development District all that certain property bounded by: Johnston Avenue; Broadview Drive; Lot No. 120, Block 89-K in the Allegheny County Lot and Block System; Calvary Cemetery being Lot No. 330, Block 55-M in the aforementioned system and Lot 200, Block 89-F also in the aforementioned system, 15th Ward."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Millions	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Cohen:

Mr. President, at the request of Councilman O'Connor, I'd like to move that Bill No. 8 become law upon the signature of the Mayor.

Mr. Darkins seconded the motion.

WHICH MOTION PREVAILED.

Also,

Bill No. 9

A Resolution entitled, "Resolution approving a Conditional Use Exception under Section 993.01(a)A(33) of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993, to Highland Limited Partnership for authorization to convert the existing 13-story structure located at 121 South Highland Avenue into 120 dwelling units for the elderly with the first floor to remain commercial and approximately 4,000 square feet of open space as a rooftop deck with a total of 30 parking spaces located in the Highland Ellsworth parking lot and/or the Stevenson Place parking lot, on property zoned 'C4' Commercial District, 8th Ward."

Which was read.

Mr. Darkins:

On Bill No. 9, I'd like to have this bill recommitted for reasons. On Saturday I received a phone call from the trustees of the Mellon Presbyterian Church. They were here and they listened on cable that an agreement had been drawn wherein the area could be used for the senior citizens for a green field or whatever it might be for the senior citizens building that's supposed to be constructed there.

I met with the trustees of this Church on Sunday. They came to my church and I met with them and found out that this is not true. I don't think at this time, Mr. Chairman, that all the T's are crossed and the I's are dotted and the commas are in the right place.

So, I ask that this bill be recommitted so that the people can come in and we can sit and talk about it.

Michelle Madoff seconded the motion.

The Chair:

Is there any discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Millions	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the motion was approved.

Also,

Bill No. 113

A Resolution entitled, "Resolution authorizing a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh providing for the transfer of an amount not to exceed \$765,000 to the authority to be used for streetscape improvements in the Penn-Liberty Cultural District and providing for the payment of the cost thereof."

Which was read.

Mr. Ferlo:

Mr. President, I'd like to make an amendment to Bill 113 which is regarding the cooperation agreement between the Urban Redevelopment Authority and the City as it relates to continued infrastructure repairs to the Penn-Liberty Cultural District.

My specific motion, which you have before you, would add the long-standing concern and requirement by Council that any of the additional infrastructure and renovations to the district must include provisions for the installation and maintenance by the City of Pittsburgh of ornamental and decorative street lighting, which has been a concern expressed by this Council for at least the three years that I have been here, and I know yourself, Mr. Wagner, have spoken at length in previous years about this.

I'd like to offer that as an amendment to this legislation.

Michelle Madoff:

Second for discussion. My concern is that beauty is in the eye of the beholder. Who is going to say what is decorative and what is not? You heard Jane Downing repeatedly tell us that whatever they have out there is their idea of decorative on Grant Street. Other people may think, as I do, that perhaps what they have in the Village in Mount Lebanon is more decorative.

So, I don't know how you would enforce this or how you would do it unless we have a commission that already functions on given our Commission that might oversee this. I don't know, but somebody has to oversee it.

Mr. Ferlo:

I'd like to respond to that, Mr. President. As you pointed out, this district has in fact been previously designated as a historic district and certainly all of the millions of dollars, public and private dollars, have gone into this district. All have created and seeked to promote it as a cultural historic district.

There are design standards that can be applied by the Historic Review Commission as it relates to this issue, and I would urge that if we consider this amendment, that we make real the standing concern of Council and that is that we're not happy with the lighting in the district, which is pedestrian at best. It's not in keeping with the character of what we had hoped to be the City's and the region's primary cultural attraction in the Downtown area.

We have no other way. If we just approved this without tagging an amendment, we're going to continue to wade more into the waters of infrastructure repairs without ever coming to a resolution about this lighting. We clearly have a disagreement. The Administration and the myopic planners that are involved in the

decision-making process are adamant about keeping the lighting, similar to what's on Grant Street, and the other lighting that is standard in the Downtown area.

I think we're saying here that because of a peculiar nature of the Historic Cultural District we would like a better and a different standard to be applied. And there is a mechanism in place for the Commission to review the standard.

Michelle Madoff:

May I offer a friendly amendment, that we add on just what you've stated, that the Historic Designation Committee would review it.

Mr. Ferlo:

I don't have that in writing, Michelle.

Michelle Madoff:

We can waive the rule a little about having it in writing. I think it's important.

Mr. Ferlo:

My inference here, ornamental decorative street lighting in the Historic. I'm adding this Historic quality.

Michelle Madoff:

But I just think that it should have some oversight and it should be the Historic Commission. I have no problem. What I'm doing is trying to make this a reality, not just say, "Oh yeah, fine." Like most things get buried in the Administration.

The Chair:

If I may comment, Councilman Cohen and I have discussed this. I know he's interested

and I know several other Councilmembers are interested in seeing not the modern lighting but something more consistent with the Historical District in this location and other locations.

What Mr. Whitmer said at the table last week, if I recall correctly, was that these dollars are not for lighting. Consequently, we would have to increase the dollar volume if we were to pay for lighting beyond the amount that is here.

What I have discussed with Mr. Cohen is that I would rather see a resolution mandating in all Historical Districts that some historical lighting be provided, including this district, rather than us do it by resolution for a specific sight.

Just let me add one last point. There are two types of lighting. There is the higher lighting, the box-type lighting, and the lower lighting. And truly I think we should only be concerned with the lower lighting which really is the decorative lighting.

Mr. Ferlo:

If I could respond to that. I agree. What I'm talking about is the lower lighting which can be decorative in nature, ornamental, can be reviewed by the Commission.

The problem that we have is that if we don't recommit this bill and hold it, we're basically going to continue to wade into the waters and compound the problem. These monies don't actually purchase the lighting, that is true. But it does do the infrastructure and provide the electrical wiring up to the bottom of the pavement, which then is the basis for applying whatever standard lighting one is using.

If we don't hold back on this bill, we're just going to continue to pay for all the infrastructure and the Administration will continue to do what they want out of already

existing and approved Code Accounts in the operating budget which they used to pay for the lighting. We're never going to have a way for Council to make it clear and be adamant about it.

So, I would propose that if we do not support this amendment, that we recommit this bill and not approve additional expenditures. Otherwise, we're going to continue to do all the infrastructure work and maybe at some point later on we might apply a new standard for the Historic District but we will already have spent hundreds of thousands of dollars.

So, I would suggest either approving the amendment or, if there's not majority support among the colleagues, then I'd urge us to recommit the bill and not continue to do all that infrastructure work until we have a resolution with the Administration on what the lighting is going to be. Otherwise, we'll never get to the issue.

The Chair:

I don't want to debate this long but we're cutting off our nose to spite our face here. If we hold the legislation, we're holding the project, and there's no reason why the infrastructure work can't be done and the wiring put up to the base of the light. It doesn't matter what kind of light is put on the wiring. I mean, the wiring can accommodate any kind of light, basically. That's our issue. It's not the project.

Mr. Ferlo:

The only problem with that is, this bill does pay for not only the wiring that will come up at the ground level, but it also helps pay for whatever the foundation of that light is. So, it is directly linked to what eventually will be the light standard. We are actually paying both for the electrical conduit as well as the actual footer, the base of the light. So, I would argue that the are

directly related, even though we're not actually paying for the ornamental structure itself.

We have to, in this bill, decide what it is that we want at the base because the base of the cobra lighting is different than the base of the ornamental and/or decorative lighting.

So, I do think that they're related and I would ask for support for the amendment.

Mr. Cohen:

Mr. President, I agree. I don't think we should be holding up this bill. There's a lot going on in the Penn-Liberty district. But, at the same time, I think that if you read the amendment closely, what Councilman Ferlo is saying is that it has some provisions for the installation of lighting. The way I interpret that, and I don't know if other people would, but the way I interpret that is that they would lay the ground work for including wiring for the future installation of lighting.

If we want to make that more specific, I don't have that in writing, of course, so we'd have to waive that rule, but we could put in as a friendly amendment to Councilman Ferlo's amendment, the word "wiring". Must include provisions for wiring for the installation of lights. That way we could include that wiring and not have to hold this project up.

The Chair:

If I may just add one last point. I don't know if the City should be paying for this. That's a major item here. The Cultural Trust is providing a whole lot of money for this project. If they want ornamental lighting, we should give them the option to buy it. That's been my position all along here. Not necessarily us buying it, but simply them having that opportunity. This is mandating that the City pays for it.

Mr. Ferlo:

I don't object to that suggestion.

Michelle Madoff:

I think everybody is trying to come to a solution or come up with some wording that will say essentially, "Let's not hold up this bill." Obviously, when we do the streets, unlike when they did McArdle Roadway, they didn't put the lighting in. They didn't put the electrical work in. They did everything except the electrical work so they have to dig it up again in order to put whatever suitable lighting is in.

What I'm saying is that your position that we do not hold this up, obviously they're putting electrical work in for lighting. What you want to be sure of is that they don't put any specific footers in and they don't-- I think my colleague is mistaken. Mr. Ferlo, they do not put specific footers in.

And what I'm suggesting is that you come back with your idea, Mr. Wagner, meet with Mr. Ferlo and whomever else, and next week come in with a standard lighting for this Historic District not specifying who will pay for it. If it's factored into our legislation already and the money has been set aside by the City and we're saying, "This is what we want, we don't want modern lighting." If it's going to be subsidized or other lighting, because it says historic lighting and must be subsidized or provided by the private sector or a combination of private and public, it will happen then.

But I think that what we're trying to do, and I think you were right in your initial comment, is not to take a specific area and say, "In this area, this is what we want." But to say, "In historic designated areas, we would have historic lighting." Period. And just go ahead with this

legislation but get your other legislation in so quickly that they can't go out and buy the lighting.

The Chair:

What if we eliminate the words, "By the City of Pittsburgh"?

Mr. Ferlo:

I have no problem with that. So moved.

Michelle Madoff:

Eliminate what?

The Chair:

So, you're eliminating five words here, "By the City of Pittsburgh".

Mr. Ferlo:

That's something they can work out, the details.

I agree with you about the issue of the actual lighting. In fact, I think both the trust as well in the North Side case, East Allegheny was willing to pay for better lighting but the City wouldn't allow them to use that standard. So, I agree with that and I'd like to make that as an amendment.

The Chair:

Is there any discussion on the amendment as it reads without the words "By the City of Pittsburgh"?

Michelle Madoff:

Mr. Chairman, I have a question, please.

If you don't introduce your legislation

that says you must have historic lighting, if you don't do that as a friendly amendment here, that's in the bill but saying the Historical Society or somebody is going to review it, somebody may look at the lighting on Grant Street and say, "That's historic. We think that's what we want." I think you're defeating your purpose.

So, you might want to, if you want to hold one week, come back with your legislation at the same time.

The Chair:

I think that needs to be more of a comprehensive piece of legislation.

Mr. Cohen:

Mr. President, I think that it's a good amendment that will make this go through. I don't think we should hold this up any more.

There are real problems over there. I took a tour of the Penn-Liberty Corridor with the head of the Penn-Liberty Association last week and that area is really on the verge of either becoming a fine district right between the Vista and the Cultural District that could be a great retail and office area. Or else, it could go the other way. Right now there are these huge barricades with trash in them.

Let's go ahead with it and go ahead quickly.

The Chair:

Roll call vote on the amendment without those five words.

Michelle Madoff:

Would you tell me what we're voting on at this point?

The Chair:

The amendment in front of you without the words, "By the City of Pittsburgh".

Michelle Madoff:

And without saying historic, this society will review it?

The Chair:

No, it says what it states.

Is there any further discussion on the amendment?

And on the question, "Shall the amendment pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the amendment passed finally.

Also,

Bill No. 186

A Resolution entitled, "Resolution amending Resolution No. 667, approved July 9, 1990, entitled 'Providing for the implementation of a

Residential Parking Program (RPPP) in the South Oakland community pursuant to Pittsburgh Code, Chapter 549' so ■ to expand the streets included in the existing South Oakland RPPP Area 'M'."

Which was read.

Also,

Bill No. 187

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Bethlehem Haven for the payment of maintenance, operation, insurance, utilities, furnishing costs, and provision of essential services to the homeless under the Emergency Shelter Grants Program."

Which was read.

Also,

Bill No. 188

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Black Vietnam Era Veterans of Western PA for the payment of maintenance, operation, insurance, utilities, furnishing costs, and provision of essential services to the homeless under the Emergency Shelter Grants Program."

Which was read.

Also,

Bill No. 189

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Community Human Services for the payment of maintenance, operation, insurance, utilities and/or furnishing costs in relation to the provision of services under

the Emergency Shelter Grants Program."

Which was read.

Also,

Bill No. 190

A Resolution entitled, "Resolution providing for an Agreement or Agreements with East End Cooperative Ministries for the payment of maintenance, operation, insurance, utilities and/or furnishing costs in relation to the provision of services under the Emergency Shelter Grants Program."

Which was read.

Also,

Bill No. 191

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Light of Life Rescue Mission for the payment of maintenance, operation, insurance, utilities and/or furnishing costs in relation to the provision of services under the Emergency Shelter Grants Program."

Which was read.

Also,

Bill No. 192

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Miryam's for the payment of maintenance, operation, insurance, utilities, furnishing costs, and provision of essential services to the homeless under the Emergency Shelter Grants Program."

Which was read.

Also,

Bill No. 193

A Resolution entitled, "Resolution providing for an Agreement or Agreements with North Side Common Ministries for the payment of maintenance, operation, insurance, utilities, furnishing costs, and provision of essential services to the homeless under the Emergency Shelter Grants Program."

Which was read.

Also,

Bill No. 194

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Salvation Army (3rd Avenue) for the payment of maintenance, operation, insurance, utilities and/or furnishing costs in relation to the provision of services under the Emergency Shelter Grants Program."

Which was read.

Also,

Bill No. 195

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Whale's Tale for the payment of maintenance, operation,, insurance, utilities, furnishing costs, and provision of essential services to the homeless under the Emergency Shelter Grants Program."

Which was read.

Also,

Bill No. 196

A Resolution entitled, "Resolution providing for

an Agreement or Agreements with the Woman's Center and Shelter for the payment of maintenance, operation, insurance, utilities and/or furnishing costs in relation to the provision of services under the Emergency Shelter Grant Program."

Which was read.

Also,

Bill No. 197

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Womanspace East for the payment of maintenance, operation, insurance, utilities and/or furnishing costs in relation to the provision of services under the Emergency Shelter Grants Program."

Which was read.

Also,

Bill No. 198

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the YMCA - Centre Avenue for the payment of maintenance, operation, insurance, utilities and/or furnishing costs in relation to the provision of services under the Emergency Shelter Grant Program."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Millions	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Ferlo presented

Bill No. 326

Report of the Committee on General Services for February 19, 1992 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 271

A Resolution entitled, "Resolution amending Resolution No. 896 effective October 9, 1991 entitled: 'Providing for an agreement or agreements of lease with DiNardo Limited (owner Charles DiNardo) of certain indoor and outdoor space for an initial term of five (5) years, at \$1.00 per square foot annually for the purpose of securing space to be used for the storage of vehicles by the City of Pittsburgh and the Department of Public Safety, subject to and contingent upon the annual appropriation of funds for the said Agreement of Lease,' by adding for the leasing of office space and storage of equipment and vehicles by the City of Pittsburgh and Department of Public Safety at a cost not to exceed Seventy-Five Thousand (\$75,000.00) Dollars."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Millions	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Ferlo:

Mr. President, in accordance with Section 322 of the Home Rule Charter, I move that the effective date of Bill No. 271 become law upon the signature of the Mayor.

Michelle Madoff seconded the motion.

WHICH MOTION PREVAILED.

Michelle Madoff presented

Bill No. 327

Report of the Committee on Water for February 19, 1992 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 200

A Resolution entitled, "Resolution amending Resolution No. 1137, approved December 3, 1991, effective December 13, 1991, entitled 'An Agreement or Agreements with a collection agency or agencies for professional services in connection with the collection of delinquent water charges, fines, penalties and interest due the City of Pittsburgh, as agency for the Pittsburgh Water and Sewer Authority at a cost not to exceed \$300,000.00, chargeable to and payable from Code Account 1922 (192203), Miscellaneous Services, Department of Water,' by redefining conditions." (AS AMENDED IN COMMITTEE)

Which was read.

Michelle Madoff:

For clarification, this appears, if you were reading it superficially, that we're spending money. Basically this is the monies that we must pay for the collection and the monies that we're anticipating having to put out should reflect at least \$3 million coming in with a major return and a decrease to the debt to the City that's somewhere about \$13 million in outstanding Water bills.

This also should not be confused with the previous legislation which will now send everybody who is delinquent with their water bill -- We've had a 35 year history of delinquency where people thought that they didn't have to pay their water bill and that nobody was going to come after them. What will happen now is that they will go to a collection agency that will charge us \$1.00 and the person who is delinquent will be informed that their name will appear in the

Credit Bureau Records so that if they try to get a mortgage, buy a car, buy a bicycle, get credit for anything, get a charge card, their name will appear for seven years as a bad debtor.

It seems to me that we're moving in the right direction. It's been a cooperative effort with the Administration, with Clarence Perkins, and I would like to hopefully come back here in the near future - the letters are just going out - and tell you how much money has come in and how we're decreasing that \$13 million uncollected bill which has been reduced by wiping out a lot of debt from \$18 million down to \$13 million just by writing it off.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. O'Connor presented

Bill No. 328

Report of the Committee on Parks and Recreation

for February 19, 1992 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 266

A Resolution entitled, "Resolution providing for the rental of two (2) charter buses for elderly city residents to attend a lobbying effort in Harrisburg, PA on March 11, 1992, in support of a ceiling price on prescription medication, at a cost not to exceed \$2,000.00, payable from Code Account 1001-1 (100115), Miscellaneous Services, Supplies and Equipment."
---(SPONSORED BY MR. DARKINS)

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Millions	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Onorato presented

Bill No. 329

Report of the Committee on Public Safety for February 19, 1992 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 206

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Center For Emergency Medicine of Western Pennsylvania (CEM)/Infectious Disease Control in connection with Emergency Medical Services of Pittsburgh and providing for the payment thereof."

Which was read.

Also,

Bill No. 207

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Center For Emergency Medicine of Western Pennsylvania (CEM) in connection with Emergency Medical Services of Pittsburgh and providing for the payment thereof."

Which was read.

Also,

Bill No. 208

A Resolution entitled, "Resolution providing for an Agreement or Agreements with a psychologist or psychologists for professional psychological services for 1992 for the Department of Public Safety and providing for the payment of the cost

which is not to exceed \$60,000.00 payable from Code Account (1401), Index Code (140103), Miscellaneous Services."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Ricciardi presented

Bill No. 330

Report of the Committee on Engineering and Construction for February 19, 1992 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 211

A Resolution entitled, "Resolution amending

Resolution No. 900, effective October 9, 1991, entitled, 'Providing for a Contract or Contracts, or use of existing Contracts, for Miscellaneous Repairs to Various Streets and Structures; and providing for the payment of the costs thereof,' by increasing the total project allocation by \$391,000.00 from \$250,000.00 to \$641,000.00."

Which was read.

Also,

Bill No. 212

A Resolution entitled, "Resolution amending Resolution No. 820, effective August 22, 1991, entitled, 'Providing for a Contract or Contracts, or use of existing Contracts, Agreement or Agreements, or use of existing Agreements, and the Purchase of Equipment and Materials, in connection with the Renovation of the Baxter Playground; and providing for the payment of the costs thereof,' by increasing the total project allocation by \$65,000.00 from \$400,000.00 to \$465,000.00."

Which was read.

Also,

Bill No. 213

A Resolution entitled, "Resolution further amending Resolution No. 1218, effective December 31, 1979, as amended by Resolution No. 78, effective February 22, 1980, as amended by Resolution No. 430, effective June 6, 1984, as amended by Resolution No. 990, effective November 20, 1984, as amended by Resolution No. 17, effective February 6, 1985, as amended by Resolution No. 1262, effective December 31, 1985, as amended by Resolution No. 1156, effective December 22, 1986, as amended by Resolution No. 636, effective August 12, 1988, entitled 'A Resolution providing for a contract or

contracts for Engineering and Architectural Services for Grant Street and Liberty Avenue Design, Fort Pitt to Liberty, Sixth Avenue to Twelfth Street; and providing for the payment of costs thereof; and providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation, by increasing the total project allocation by \$125,000.00 from \$1,212,633.92 to \$1,337,633.92."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferio	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 214

A Resolution entitled, "Resolution amending Resolution No. 1273, effective December 31, 1991, entitled 'Providing for a Contract or Contracts, or use of existing Contracts, for the maintenance of the brick street surface on Grant

Street; and providing for the payment of the costs thereof,' by amending the title and by increasing the total project allocation by \$100,000.00 from \$20,000.00 to \$120,000.00."

Which was read.

Mr. Ferio:

Mr. President, concerning the \$120,000 appropriation for the good old bricks on Grant Street, I'd like my comments brought forward.

(REMARKS ON FOLLOWING PAGE)

(MR. FERLO'S COMMENTS ON BILL NO. 214 - Wednesday, 2/19/92)

Mr. Ferlo:

I think everybody knows my feelings about Grant Street. Director, a year ago when I was pulling bricks off Grant Street with my hands and Mr. Mistick said, "The street is fine, and it is going to be there long after his political career and mine," apparently that is not case. What is this now?

Mr. Sciulli:

What is the bill? This is our Councilman Ferlo bill, obviously. We were going to take care of the brick street.

As you recall, we started Grant Street back in 1984, and I was fortunate enough to be on that project at the time. We have done very little maintenance on Grant Street since 1984, so I think it was about time that we get our money together and do some looking at the regrouting.

Mr. Ferlo:

This actually typifies one of the reasons I was opposed to Grant Street. I think concrete looks just as good as all that fancy brick. We are going to continue to have this maintenance problem years and years into the future. This is money that is not going to go to fix streets in Beechview, Highland Park and points west, north, south.

(Deleted text.)

Mr. Ferlo:

Specifically where are you going to do the work? Where I pulled up bricks is an area where the street was not properly crowned, bricks not put in right. Are you doing that area?

Mr. Sciulli:

We built the street to the grades. Obviously, there is quite a bit of drop, say, from the center of the street to the curb, where you want drainage to occur. So it is a happy medium there that we have to reach.

(END OF REMARKS)

(Transcribed by Helen L. Kriebel)

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Michelle Madoff	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 7

NOES 2

(MR. FERLO AND MR. RICCIARDI VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 215

A Resolution entitled, "Resolution amending Resolution No. 1055, effective November 25, 1991, entitled 'Providing for a Contract or Contracts, or use of existing Contracts, for Miscellaneous Restoration at Various Water and Sewer Authority projects; and providing for the payment of the cost thereof,' by increasing the total project authorization by \$25,000.00 from \$50,000.00 to \$75,000.00."

Which was read.

Also,

Bill No. 216

A Resolution entitled, "Resolution amending Resolution No. 1272, effective December 31, 1991, entitled 'Providing for a Contract or Contracts, or the use of existing Contracts, for the Renovation and Repair of Ornamental Fences at various locations within the City of Pittsburgh; and providing for the payment of the cost thereof,' by increasing the total project allocation by \$250,000.00 from \$125,000.00 to \$375,000.00."

Which was read.

Also,

Bill No. 217

A Resolution entitled, "Resolution providing for an Agreement or Agreements, or use of existing Agreements, and/or a Contract or Contracts, or use of existing Contracts, and providing for the purchase of equipment and materials in connection with the Rehabilitation of Existing Play Areas; and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 218

A Resolution entitled, "Resolution providing for an Agreement or Agreements, or use of existing Agreements, and/or a Contract or Contracts, or use of existing Contracts, and providing for the purchase of equipment and materials in connection with Major Court Renovations; and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 219

A Resolution entitled, "Resolution providing for an Agreement or Agreements, or use of existing Agreements, and/or a Contract or Contracts, or use of existing Contracts, and providing for the purchase of equipment and materials in connection with the Rehabilitation of the Pittsburgh Zoo; and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 220

A Resolution entitled, "Resolution providing for an Agreement or Agreements, or use of existing Agreements, and/or a Contract or Contracts, or use of existing Contracts, and providing for the purchase of equipment and materials in connection with Various Swimming Pool Design and Rehabilitation; and providing for the payment of the costs thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner

Mr. Milliones

(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 221

A Resolution entitled, "Resolution providing for an Agreement or Agreements, or use of existing Agreements with a Consultant or Consultants, for Architectural/Engineering Services in connection with Various City Projects; and providing for the payment of the costs thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Darkins	Mr. O'Connor
Mr. Ferlo	Mr. Onorato
Michelle Madoff	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 7

NOES 2

(MR. COHEN AND MR. RICCIARDI VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 222

A Resolution entitled, "Resolution providing for an Agreement or Agreements, or use of existing Agreements, and/or Contract or Contracts, or use of existing Contracts, and providing for the purchase of equipment and materials, in connection with Ballfield Relighting at Various Locations; and providing for the payment of the costs thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 223

A Resolution entitled, "Resolution providing for an Agreement or Agreements, or use of existing Agreements, and/or Contract or Contracts, or use

of existing Contracts, and providing for the purchase of equipment and materials, in connection with the Overlook Improvements; and providing for the payment of the costs thereof."

Which was read.

Michelle Madoff:

On Bill 223 which refers to the overlook improvements, I'd like my comments brought forward.

(REMARKS ON FOLLOWING PAGES)

(MICHELLE MADOFF'S COMMENTS ON BILL NO. 223-Wednesday, 2/19/92)

Michelle Madoff:

Second for discussion. Which overlook?

Mr. Sciulli:

Basically Grandview and in the West End.

Michelle Madoff:

Do you have a ballpark figure off the top of your head how much money we have spent in the last ten years improving the overlooks?

Mr. Sciulli:

No, I don't.

Michelle Madoff:

I will tell you why I asked the question. For a number of years I tried to get corporations to put a plaque up -- you know, instead of them putting a little plaque up saying, "This is our parking meter," as they do in some of our communities -- that they would take over and maintain the various overlooks. I don't know if my colleagues know, but the overlooks are named after former Councilmembers. And the rationale when I introduced it years ago, Stone said, "We can't do that. They are named after Councilmembers." I said, "Wouldn't it honor them to have them maintained, as opposed to having them deteriorate?" I don't think anybody knows the names of which Councilmembers those overlooks are named after. Perhaps they would put the name up and pay for the maintenance. Stick around. I am the historian.

It would seem to me that we still need -- and what I have asked for years and I haven't been able to get through an enlightened Administration -- is that we need a grants person that goes to corporations and says, "How would you like to have your name on the overlook called 'ALCOA Overlook in honor of Councilmember da, da, da.'" I think they would like to have that kind of RP. They pay a million dollars to have their logos at the Stadium. Why wouldn't they want to do this? It is enlightened. We have a shortage of money. It is not a creative idea of mine. It has been done in other areas all over the world. Maybe we should come into the 21st Century.

Could we have a letter sent again? Just find the old letter, Mike, or go to the office and pull the old files, and let's see if we can get that message across. Because here is another 25,000 which look very innocuous. I bet you if our good friend supplies us with the total maintenance of those -- which I would like to have before Tuesday's vote, the total dollars that were spent on the overlooks in the last ten years -- it is very substantive. And I tell you, the corporations, they write it off, it is a tax write-off, they have their advertising out, they would love it. A beautiful bronze plaque.

Would you let us know? Would you also tell us who they are named after?

Mr. Sciulli:

If I can crawl under there and find it, I will.

(END OF REMARKS.)

(Transcribed by Helen L. Kriebel)

Michelle Madoff:

I would respectfully request that the City Clerk send a letter to the appropriate members of the Administration, I would assume Mr. Turner, the Mayor, Mr. Mistick, and see if we can do something since they're all trying to be financially creative about find a mechanism to keep the overlooks in good condition, putting a plaque up as to the name of the overlook, who it's named after, and seeing if we can get sponsors who will maintain them, corporations who would like to have that publicity when people come up to an overlook, it is maintained by whichever company it is.

This is an item that has been hanging around for years. Other cities are light years ahead of us in doing this kind of thing, even putting signs up on parking meters to get coverage, or on refuse cans.

There's no point in our talking about it here in Council if we say, "Yes, that's nice; wouldn't that be a nice idea." but nobody follows up on it.

So, I would respectfully request that we ask that as a body and see what happens.

Mr. Ricciardi:

I think Michelle Madoff has raised some good points that she raised in the Committee session. However, to have true input into this bill, the only way we can have true input is if we recommit this bill for further discussion because once the bill passes, the letter does nothing except be correspondence from the Administration to us.

I'd like to make a motion to recommit Bill 223.

Mr. Ferlo seconded the motion.

WHICH MOTION PREVAILED.

Also,

Bill No. 224

A Resolution entitled, "Resolution providing for an Agreement or Agreements, with a Consultant or Consultants, for Construction Inspection Services for Various City Projects; and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 225

A Resolution entitled, "Resolution providing for a Contract or Contracts in connection with Major Renovations of Recreation Centers and Senior Citizen Centers; and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 226

A Resolution entitled, "Resolution providing for a Contract or Contracts, or use of existing Contracts, and/or Agreement or Agreements, or use of existing Agreements, to correct erosion problems in McKinley Park; and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 227

A Resolution entitled, "Resolution providing for a Contract or Contracts, or use of existing

Contracts, for the Rehabilitation of Phipps Conservatory; and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 228

A Resolution entitled, "Resolution providing for a Contract or Contracts, or use of existing Contracts, for Spot Painting of Various Bridges as part of the Bridge Maintenance Program; and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 229

A Resolution entitled, "Resolution providing for a Contract or Contracts, or use of existing Contracts, for Street Tree Planting at Various Locations; and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 230

A Resolution entitled, "Resolution providing for a Contract or Contracts, or use of existing Contracts, for concrete Step Construction or Reconstruction at various locations, including but not limited to Mary St. and Eureka St. (both located in Council District #3); and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 232

A Resolution entitled, "Resolution providing for a Contract or Contracts, or use of existing Contracts, for the Rehabilitation of Roofs of Various Buildings; and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 233

A Resolution entitled, "Resolution providing for a Contract or Contracts, or use of existing Contracts, for Preventive Maintenance on Various Bridges, including but not limited to P.J. McArdle Roadway Viaducts No. 1 and 2 (Council District #3), Shaler Street Bridge (Council District #2) and S. Millvale Avenue Bridge (Council District #8); and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 235

A Resolution entitled, "Resolution providing for a Contract or Contracts, or use of existing Contracts, and for the purchase of equipment and materials in connection with the Safety Code Compliance Program; and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 237

A Resolution entitled, "Resolution providing for

a Contract or Contracts, or use of existing Contracts, for Rehabilitation of Various Landscape and Turfed Areas; and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 238

A Resolution entitled, "Resolution providing for a Contract or Contracts, or use of existing Contracts, and for providing for the Purchase of Materials and Equipment in connection with Lighting and Electrical Repairs at Various Locations; and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 239

A Resolution entitled, "Resolution providing for a Contract or Contracts, for the Rehabilitation of Public Safety Facilities; and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 240

A Resolution entitled, "Resolution further amending Resolution No. 1415, effective January 1, 1991, as amended, entitled 'Adopting and approving the 1991 Capital Budget and the 1991 Community Development Block Grant Program; and approving the 1991 through 1996 Capital Improvement Program,' by increasing EC 91-414 (Inspection Services) by \$15,000.00 from \$260,000.00 to \$275,000.00."

Which was read.

Also,

Bill No. 241

A Resolution entitled, "Resolution amending Resolution No. 358, effective April 24, 1991, entitled, 'Providing for the creation of a special trust fund to be known as the 'Civic Arena Trust Fund' for the deposit of funds to be used to perform maintenance work with existing City contracts at the Civic Arena at the expense of the Authority,' by providing for the reimbursement to the City for costs incurred for Construction Inspection during this project."

Which was read.

Also,

Bill No. 242

A Resolution entitled, "Resolution adopting Official Sewage Facilities Plan for the Buncher Yacht Club."

Which was read.

Also,

Bill No. 243

A Resolution entitled, "Resolution adopting Official Sewage Facilities Plan for the Richard T. Ozanick Plan of Lots."

Which was read.

Also,

Bill No. 244

A Resolution entitled, "Resolution adopting

Official Sewage Facilities Plan for St. Margaret Memorial Hospital Outpatient Services Building."

Which was read.

Also,

Bill No. 245

A Resolution entitled, "Resolution adopting Official Sewage Facilities Plan for the Dearborn-Winebiddle Garden Apartments."

Which was read.

Also,

Bill No. 277

A Resolution entitled, "Resolution further amending Resolution No. 1296, effective January 1, 1992, as amended, entitled 'Adopting and approving the 1992 Capital Budget and the 1992 Community Development Block Grant Program and approving the 1992 through 1997 Capital Improvement Program,' by increasing EC 92-98 (Zoo Master Plan Implementation) by \$500,000.00 from \$2,500,000.00 to \$3,000,000.00."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 278

A Resolution entitled, "Resolution providing for a Contract or Contracts, or use existing Contracts, in connection with the Zoo Master Plan Implementation; and providing for the payment of the costs thereof."

Which was read.

Michelle Madoff:

I'd like my comments brought forward - well, maybe we better not because they go on forever - on Bill 278. Basically, you know I don't vote for the Zoo simply because three-quarters of the people using it are non-City residents.

Mr. Cohen:

I'd like my remarks on Bills 277 and 278 brought forward, please.

(REMARKS ON FOLLOWING PAGES)

(MR. COHEN'S COMMENTS ON BILLS NO. 277 & 278 - 2/19/92)

Mr. Cohen:

Director, I support this project because of the need, dire need, to be able to get people from the parking lot up into the Zoo. My concern from the beginning has been whether we can control costs for this project.

Just if you could, tell us the status of it. If I recall, the last thing City Council voted on was for engineering and architectural services. Are we beyond that point now and did you keep within that budget for engineering services?

Mr. Sciulli:

In terms of services, yes. There has been review after review after review. We have reviewed it numerous times within the department. We have had our professional who is assigned to this project review it. We have gone back and forth trying to find a suitable solution that works for the number of patrons who attend the Zoo and staying within our budget.

As the plan stands now, we would essentially be trying to put together a design that would include a pair of escalators and a pair of elevators. The escalators would be reversible; both of them could go in one direction or a combination of that direction.

Mr. Cohen:

I thought that you had revised it so you could do it with one elevator shaft. Is that not the case?

Mr. Sciulli:

We had it revised in the sense that in terms of trying to service the number of patrons that happen in the peak hours, we could bid this as an alternate to have a second shaft installed, perhaps not the elevator, depending on what the bids come in. We are trying to live within our means here. We have an allocation in the budget, as I mentioned to you before. We have basically stuck to that. We have gone through numerous, numerous schemes and sketches, you have seen some of them, and right now we think we have the solution that fits our budget and fits the needs of the Zoo.

Mr. Cohen:

Okay. I don't want to belabor this because of the long agenda, but two elevator shafts are more expensive than one. Are you accepting bids for both of those possibilities?

Mr. Sciulli:

There will be a bid alternate. In other words, a contractor would bid on both of them, the city would have an opportunity to reject the alternate and do just one. But we are planning for two.

Mr. Cohen:

The engineering design services are completed now?

Mr. Sciulli:

No, they are still ongoing.

Mr. Cohen:

This is money for construction services?

Mr. Sciulli:

That is correct.

Mr. Cohen:

We are talking about \$2.5 million?

Mr. Sciulli:

Right, to \$3 million.

Mr. Cohen:

Do you feel with your expertise that you will be able to stay within that budget for completion of the entire project?

Mr. Sciulli:

We have given specific instructions. As you know, when we go through a design process, part of the design process is the consultant has to turn in an estimate of what those costs may

be. I probably have looked at a dozen estimates on this already. We have given our consultant a mandate as to what that figure is, giving ourselves leeway within the budget, knowing that, you know, you do have some change orders on any construction project. So we are taking every step to live within this budget amendment.

(END OF REMARKS.)

(Transcribed by Helen L. Kriebel)

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Mr. Millions	Mr. Wagner
	(Pres't)

AYES 8

NOES 1

(MICHELLE MADOFF VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

MOTIONS AND RESOLUTIONS

Michelle Madoff:

I have been informed of some very disturbing news. I sent a letter to Mr. Turner and I shared the letter with Members of Council. Basically, let me summarize it.

In a sort of updating review of what is happening in the Recycling and Refuse Department, my aide, Bill Urbanic, found an error in the budget. It was not a very serious error. It doesn't impact on the cost of the taxpayers. We spoke to the Budget Office representative who handles the Refuse Department and she agreed it was, indeed, an error and she would look to make a correction of that error.

But in speaking to as many people as I could who deal with the Refuse Department, it has come to my attention that only 11 percent of the waste stream is being recycled. I thought we were going to get at least 15 percent. And there is no record kept of how many homes, private residence, and apartment houses, no accurate record that I could determine. I have suggested in my letter that this should be computerized and it would be very easy to keep updated because I've just learned that two apartment houses are going to privatize their pick up of garbage and it would just be removed from the computer system. And if we pick up any other homes, we just add them to the computer system. That's not very difficult. So, if any Member of Council says, "I'd like to know how many we pick up", we have an answer. It's one of those things that's sort of, we think it is, it might be, and so on.

That is really not the key issue. The key issue is that we are currently paid \$34.77 a ton to pick up refuse which is a main stream, and the tipping and so on. We're going to go on a four year contract at \$38.77 next year. But on recyclables, and this goes to the question Councilman Ferlo asked, why aren't we making money on it?

We are paying \$3.98 so let's round it out and say \$4. Every time we put refuse into a landfill and have the garbage picked up at roughly, let's again round it off to \$35 a ton as opposed to \$4 a ton, it costs the taxpayers a lot of loot. A lot of money that we can ill afford.

The thing that's disturbing to me and it was brought to my attention from the most reliable source that anyone could ever want, and you're going to have to trust me on that because I don't want to use their name until I get permission, this is somebody in the private sector that does work with the City, that, for example, Squirrel Hill is not recycling its recyclables. They just don't bother. This person tells me that if

you take a ride through Squirrel Hill, you don't see very many blue bags.

I'll tell you my source privately, but I believe it to be true. It is not probably any different in my district. I'm not trying to single out Squirrel Hill.

Basically what I've heard is that people are not taking the recycling very seriously. Some people are. But they're really not taking as much out of the mainstream and putting it into recycling as they could be. That means that we pay -- The taxpayers who may think this is not a serious matter -- you don't have to defend Squirrel Hill; I love Squirrel Hill -- we pay again almost \$35, almost \$39 a ton next year when we could pay \$4 a ton.

That gets us to the next issue. Are Councilmembers aware, you may be now from reading my letter, that we go out on bid again on the recyclables. They'll be going out shortly and they'll be opening them in April.

It is general information that there are a lot of problems with the recycling plant and the debugging process and they're losing a lot of money in that operation.

Now, I'm going to take an educated guess, or a calculated guess based on my years of working with environmental issues, that this will probably go from \$3.98 to probably like \$12. Others have told me they think it will go to \$15. That's still less than the \$38 and if we're going up on recycling, where's \$38 going to go after 1993? To \$40 and \$50? Some cities, as you know, are paying \$110, New Jersey, New York, for picking up the refuse.

So, what I'm saying, bottom line of this, is that if we can decrease substantially the people who are putting recyclables in with the regular garbage, we would only be paying at the moment

\$4 and certainly whatever the number is substantially less dollars than the monies that we would pay for picking up the general refuse by not separating it.

I think it's terribly important. I think there has to be a better job of education. And, if nothing else, there has to be some kind of penalty. The inspectors have got to go out and find the culprits.

My sense is, and I think that even Mr. Cohen would agree, if you have five people in the City in any district, whether it's District 2, 5, 3, 4, whatever, and they were cited and their names appeared in the paper, if people knew that this is serious business, that it's taxpayers dollars that we're burning and throwing away, that everybody would start taking it seriously.

Mr. Cohen:

Mr. President, I think that Michelle raises a good issue and that is to lower the ultimate volume of garbage, and we need to do that through recycling and some other mechanisms. But, I don't think she should single out a neighborhood. I would say this with respect to Bloomfield or Shadyside or any other portion of my neighborhood. And I know that Councilman O'Connor is ready to chime in on this.

I don't know what kind of reliable sources she has but my reliable sources are my two eyes and Squirrel Hill is recycling and every neighborhood in the City, I think, is really making a valiant effort to recycle because of its environmental merit.

I do think, however, that there are many apartment buildings in particular that have not instituted. I'm not going to say what neighborhoods; they're in all neighborhoods. Maybe even Michelle's building. But this is a serious issue. There are many apartment

buildings that have not instituted recycling plans yet all over the City and I think that that would contribute to reducing the volume.

Mr. O'Connor:

I have to disagree with Michelle, respectfully. Squirrel Hill is my neighborhood and I must see double the blue bags. Not only there but the whole neighborhood. Other districts are doing a great job at it.

I agree that we probably should watch the apartments more, but I door-knocked every home in Squirrel Hill just a couple of months ago and I was very impressed not only with the blue bags but with the policing of the recycling people who had left notes where they weren't following instructions. I haven't door-knocked in about three or four months, so I don't know if they're doing as well. But I was very impressed where they wrote notes and put them back on the porch saying that they won't pick up because the right thing isn't in there. I think the recycling effort has been very good.

Michelle Madoff:

May I just clarify one little thing? The person who told me this is someone who deals in this area and lives in this area.

Mr. Ferio:

Mr. President and Members of Council, this is another situation I think we've all been made aware of over the weekend, unfortunately, of a very serious situation in the Lawrenceville community. It involves a despicable act of outright racial violence and racism that involved, this past Thursday night, an incident where a young Black family, a couple with three children, in the middle of the night, unfortunately, were victims of racist violence, and that was the throwing through their front window two very

large bricks with Nazi symbols and White Power symbols and N-I-G-G-E-R references.

This is not an isolated situation. As a result of that, I have offered a \$1000 reward for any information leading to the arrest or conviction of culprit or culprits in relation to that one incident.

What I'm concerned about, and the reason why I'm speaking out now, again, on this issue is that it is not an isolated situation. We have a very bad situation in a very small part of the Lawrenceville community and I believe it involves more than one individual. I believe they are young and I believe that they are organized and coordinated in their actions.

I think this one incident is part of several other incidents and I'd like to just tell you briefly. First of all, over the last two months in particular, this White Power and Nazi insignia symbol has appeared not only on graffiti but it has been on the homes of two other Black families in the Lawrenceville community, as late as just in the last two weeks alone.

Saturday night at a theater performance at the Laurel Highlands Regional Theater, which is around the corner from the incident involving the Hopson family, a gang of close to 20 individuals, all young, violently attacked two Blacks coming out of the theater. I believe one of them was actually in the show; others were there to see the performance. It actually involved, unfortunately, the cancellation of that show and these two people in particular being totally afraid and intimidated, and rightfully so, at the thought of having to come back to the theater area. This follows some other incidents this past year.

Again, I don't think these incidents are isolated. I think there's an organized group of individuals, albeit young, who are involved in these incidents.

Again, I want to not only reiterate the reward of \$1000, but I think more importantly I would ask that Council join me in sending a letter to the Mayor and to Chief DeRoy asking for a response. What we really need is a coordinated police response, and I don't want to talk right now about some of the things that the police can do which they have at their disposal. But if it involves the FBI or the U.S. Attorney's Office, I think we need to involve them. We're talking about the violation of people's civil rights and it's got to stop.

In December during the holidays we all read of the incident involving a Black family in Morningside, and I'm sure as we go throughout the City there are probably other incidents that maybe didn't make the newspapers that we don't know about.

But, come hell or high water, these people are going to be brought to justice and this is going to stop. It's a double-edged sword; in some ways you don't want to dramatize something to draw further attention, and you don't want any further retaliation against people in the community. But, at this point, I don't know what else to do other than to be very vocal, be a very strong advocate on this issue and to demand a coordinated police response.

So, I respectfully ask that we send a letter to the Mayor and to the Chief and to ask for their response regarding this situation.

Also, I would appreciate it if the media would help to put the information out about the \$1000 reward.

Mr. Cohen:

Mr. President, I just want to support Mr. Ferlo and say that I think we should be extremely strong in our response to these disgusting acts.

This is a prime example of where the Ethnic Intimidation Act can come into play. Maybe we can even bring the State Police into play here and come down as hard as possible on people who engage in this type of racist activity.

Mr. Darkins:

I would like to add to what Councilman Ferlo has said. I'm so glad that he's taking an active stand in regards to this.

It looks to be, and it would appear to be, had I been the one raising this because that I am in defense or taking a stand for African American people or any ethnic group. But I'm glad that Jim Ferlo has brought this to the attention of not only City Council but that he is also making it known to the Mayor's Office, to the Department of Public Safety, and because there are other aids and sources that they can get help from. I think that it should be addressed and I think it should be answered.

There's no sense in us, as we begin to look to the coming elections coming up, and here is Ernie Preate who is our Attorney General who has a large crowd of people in the Manor Building that can come to the aid of our communities in regards to issues like this. Not only that, we can go right down the street to the United States Attorney's Office and they can address this same thing.

So, I think it's about time that the Administration in regards to the Department of Public Safety -- I'm not finding fault with Chief DeRoy or Glenn Cannon, but I'm just sending a message to them today that these are the other avenues that we can get our help from and there's no sense in us continuing to sit around this table or any other table and talk about how we don't have the finances to hire extra policemen when all these other entities are in place when it's our Federal government, our State government, our

tax dollars that are being spent.

Michelle Madoff:

Mr. President, you know, it's one thing to sit here and sound off, and I agree with everything that's been said here. I think we ought to put our money where our mouth is. I would like to ask the President of Council and the Finance Chairman to please look into our budget and see if we can find some monies to subsidize what Mr. Ferlo is trying to do. He doesn't have \$1000 to put out. I think that we need to get some money from Council and do it as a Council effort because I can't think of a better use of taxpayers dollars than to offer a substantive reward. We found that with Mr. Ferlo's efforts on behalf of graffiti, that indeed we did accomplish something.

This is such a serious problem. If you read the newspapers or watch television, this is going on all over the world. It starting again. The hatred of people, the intolerance of different religions, different skin colors, different beliefs, and if we don't start doing something about it right now at home, it will grow. Let's put a stop to it now and I would respectfully ask that you think about how you could find some dollars in our budget. I think it would be dollars very well spent in protecting all of our citizens.

Mr. Ricciardi:

I really commend Mr. Ferlo for bringing this up and I agree with him that it has to be addressed on a City-wide policy.

Several months ago in the South Side, one of our business owners, the back of his building was covered with anti-Semitic signage and wording. And it was addressed and it was stressed forcefully by Commander McDaniels by increasing the police visibility in that area. However, as I followed up on it, I really noticed

that there wasn't any investigation of who could have done the writing, or any follow-up.

I think that's what Mr. Ferlo, if I'm correct, is saying, that we really need a policy to address this. And if this means that this is something that is growing, that we really should bring in other authorities and agencies and any type of state agency or whatever that could address the issue working with our Police Department. But I think that's what Mr. Ferlo is really looking for, a City-wide policy, so I would second the motion to send the letter.

WHICH MOTION PREVAILED.

Mr. Ricciardi:

On a different issue. Mr. Wagner and colleagues, because of recent developments with the Stadium Authority Board and the Pittsburgh Pirates, I have become concerned that the mandated representation by City Council on Authority Boards is not taking place. For example, Article 2, Section 220 of the City Charter states that a Member of Council shall serve on each Authority Board.

Mr. Wagner, I'd like to say that I really commend you for your leadership and your bold action when you stated that the Stadium Authority Board and the Pittsburgh Pirates should sit down and continue to negotiate and talk instead of just throwing rocks.

But the concern that I have, Mr. Wagner and Boardmembers, is that that's an ad hoc input that we could have. We could have input through the newspapers and we could receive our information either from the Mayor's Office, which we've received little if none on this topic, or again we could receive them through the newspapers. I, in no way, want to receive my information from the newspapers.

I really believe that the Stadium Authority Board should have someone from this body sitting on it.

Also, take for example, the Auditorium Authority Board which is a very important public facility. In the very near future I think that Board will be coming to this Council asking for a bond issue in the millions of dollars, and we have no representation mandated by City Council sitting on that Board for I believe over a year.

We also have a vacancy on the Equipment Leasing Authority Board.

I realize some of us, for example Michelle Madoff, has her own opinion on if City Councilmembers should sit on Authority Boards. But it's mandated by the City Charter. I believe it's proper oversight by this legislative board. I could start with the Housing Authority, Mr. Ferlo, and work right through to Alcosan, Mr. Wagner, and state that some changes have occurred within Authority Boards because of members on this Council sitting on those Boards.

What I would like to happen, if we could please send a letter to Mayor Masloff asking her to have someone appointed to the Stadium Authority, to the Auditorium Authority, and to the Equipment Leasing Authority. We have members at this table that I have a lot of trust and respect for, with Mr. Cohen, with Michelle Madoff, Mr. O'Connor and Mr. Onorato, who presently do not serve on any of those boards. And I would respectfully ask my colleagues to support me in this motion.

Mr. Ferlo:

What's the motion?

Mr. Ricciardi:

The motion is that we send a letter to

Mayor Masloff asking her to appoint members to the Stadium Authority, to the Auditorium Authority, and the Equipment Leasing Authority Boards of Directors, as mandated by Article 2, Section 220, of the City Charter.

Mr. Cohen seconded the motion.

Mr. Ferlo:

Just as a point of information, Mr. President. I'm somewhat in violation of the Charter by being on two authorities. And, as a result of the comments made today, and the fact of the matter is that I haven't taken time to write the letter, I need to resign from the Equipment Leasing Authority to find an opportunity for one of my other colleagues to be appointed to the Authority.

The Chair:

Okay, but Mr. Ricciardi's point is a valid one. This Council should have members sitting on any and every Authority. I understand with the changeover in Council there's a reasonable time, whether it be a month or two months, for that to begin to happen. It hasn't and I would just ask all of you, my colleagues, to strongly support me in my efforts here because what we will say to the Administration is that we would like by a certain time to have appropriate representation on every Authority.

Mr. Ricciardi:

I thank you for those comments, Mr. Wagner.

And, if I could add to that, I, in no way, will approve any bond issue that comes at this table without representation of our members on that Board. The Administration has to remember that it's mandated by the City Charter. I believe it's a checks and balances system, and it's more

representation by the taxpayers on those boards. This way, the Administration doesn't have all their appointees on the Boards.

So, I'm going to take a further step and say that I will not approve any bond issue.

The Chair:

Hopefully, that won't need to happen and there will be appointees on all Authorities.

That's in the form of a motion, correct?

Mr. Ricciardi:

Yes, and it was seconded by Mr. Cohen.

The Chair:

All those in favor? Opposed?

Michelle Madoff:

I abstain.

WHICH MOTION PREVAILED.

Michelle Madoff:

Mr. President, before you close the meeting. I just neglected to say, I read the letter and I told you a little bit about what's going on in the Refuse Department. Again, I don't want to be guilty of what I accuse the Administration of, just talking about it and nothing happening.

I have written a letter to Mr. Turner. I will wait a reasonable time for a response. If I don't get one, I will ask for a post agenda or even a public hearing to address the differential between the refuse stream and the recycling and what the dollar factor lost to the community is.

The Chair:

Thank you.

Michelle Madoff moved to approve the Minutes of Tuesday, February 4, 1992.

Mr. Cohen seconded the motion.

Which motion prevailed.

And on the motion of **Michelle Madoff**

Council adjourned.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXVI

Tuesday, March 3, 1992

No. 9

Municipal Record

ONE-HUNDRED TWENTY-SEVENTH COUNCIL

JACK WAGNER President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER Asst. City Clerk

Pittsburgh, PA
Tuesday, March 3, 1992

PRESENT:

MR. COHEN	MR. O'CONNOR
MR. DARKINS	MR. ONORATO
MR. FERLO	MR. RICCIARDI
MICHELLE MADOFF	MR. WAGNER
MR. MILLIONES	(Pres't)

The Meeting was opened by the recitation of the Pledge of Allegiance to the Flag of the United States of America, and a moment of silent prayer for peace throughout the world.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Milliones:

Would Mel Blount and Mr. Passerella come forward, please?

Mr. Milliones presents

No. 409 WHEREAS, Mel Blount, ■ native of Vidalia, Georgia, the youngest of eleven children, grew up on a farm, played football, basketball, baseball and ran track at Lyons High School; received a football scholarship to Southern University in Baton Rouge, Louisiana and earned a B.S. Degree in Physical Education with a minor in History; and

WHEREAS, Mel Blount was the third round draft pick of the Pittsburgh Steelers in 1970, played 200 games in his career, and missed only one game before retiring after the 1983 season. He played in four winning Super Bowls with the Champion Pittsburgh Steelers: IX, X, XIII and XIV, and was inducted into the Pro Football Hall of Fame, the Louisiana Sports Hall of Fame, and the Georgia Hall of Fame; and

WHEREAS, Mel Blount has received numerous awards for his commitment to community service such as the NAACP Human Rights Award, the Pittsburgh Dapper Dan - Al Abrams Award, the Whitney M. Young, Jr. Service Award, and was one of eight National Heroes selected by U.S. News and World Report; and most recently, the Man of the Year Award

from the Walter Camp Football Foundation; and

WHEREAS, Mel Blount, a strong believer that "The individual protected and nurtured by society has an obligation to society.", always looking for ways to help our youth, founded the Mel Blount Youth Home in Vidalia in 1983. This Home is a private, non-profit organization designed to provide training and rehabilitation for delinquent/dependent boys experiencing problems with their families, school, community or the law. The goals of the Youth Home are to return them to their communities with a new sense of pride in themselves and their responsibilities to others; and

WHEREAS, Mel Blount, upon the success of the Youth Home in Vidalia and his continuing struggle to reach as many dependent/delinquent boys as possible, established a second Youth Home in Claysville, Pennsylvania in 1989, situated on 24 acres of land in Washington County, now "intercepts" boys from all over the United States. Through his compassion, vision, service and perseverance, these young men have been given the opportunity and desire to pursue their natural potential.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh recognizes and applauds Mel Blount not only for his educational and athletic achievements, but more importantly, his unwavering dedication to community service and unselfish contributions to youth across the United States.

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh proclaims Tuesday, March 3, 1992 as "Mel Blount Day" in the City of Pittsburgh.

Mr. Milliones moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. Milliones:

Members of Council and Mr. President, I am particularly honored to be able to honor Mel Blount, particularly because of the fact that today we hear so much discussion and concern and gnashing of the teeth about African-American youth. Mel Blount is one of the people who are not complaining, but is doing something about it.

We know about the difficulty that he experienced in establishing this home in Washington, PA, and we also know about some of the difficulties as purported and reported in the news media. I have been out to Mel Blount's farm. I have visited with the youngsters. I have talked with them. I have seen the tremendous and inspiring work that he is doing, and I want to applaud him and I want to personally get more involved, especially in terms of recruiting African-American male role models to participate in the salvation of our youth. Indeed, the future of this Country resides in our ability to raise our young people in a respectable way.

Mel, I want to congratulate you. I want to say keep on doing what you're doing. We support you and we'll try to demonstrate that in a more visible way in the future. Congratulations.

Mr. Blount:

Thank you. Let me just say to Councilman Milliones and the City Council here in Pittsburgh that I'm indeed honored to accept this resolution. I think it's truly a great statement about the City of Pittsburgh.

I want to thank the City itself and all its supporters throughout the City. I want to thank

the County for all the things that they have done. In spite of what you have heard, we are working closely with the County and CYS and the Department of Public Welfare, and I would like to say that all those things are behind us and we're moving forward.

I would like to invite all of you at your convenient time to come out and visit this program and see what it's all about and see the work that we're doing with all the young people.

I'd like to thank you all once again for this great honor and God bless you. Thank you.

The Chair:

Thank you for coming.

Mr. Darkins presents

No. 410 WHEREAS, on February 28, 1992, the Sickle Cell Society, Inc., Murray-Irvis Genetic Disease Center will celebrate its Third Annual Recognition Dinner; and

WHEREAS, the Sickle Cell Society, Inc. was created in 1964 when a small group of parents met to discuss the availability of proper care for their children who were suffering from the disease; and

WHEREAS, since that day, the Sickle Cell Society, Inc. has grown from a storefront facility to the multi-million dollar Murray-Irvis Genetic Disease Center located in the Homewood-Brushton section of the City of Pittsburgh; and

WHEREAS, one out of every four hundred and fifty African-Americans carry the Sickle Cell gene and one out of every eight African-Americans carry the trait; and

WHEREAS, the comprehensive

community-based research and medical treatment center is the first of its kind in the United States using a holistic approach in providing care to its clients; and

WHEREAS, Sickle Cell Society, Inc.'s dedicated Board of Directors, Executive Director, Medical Staff and Support Team are devoted to constantly providing and making available the very best care for their clients.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh is mindful that the Sickle Cell, Inc.'s objective is to preserve and save the lives of those suffering from a genetic disease that is a major threat to the African-American community.

Mr. Darkins moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Onorato presents

No. 411 WHEREAS, Wadsworth Bradshaw has been involved with the youth of the community through his 15 year membership of the Little League Organization as a staff member and an organizer; and

WHEREAS, Wadsworth Bradshaw sponsors the Community Parade and is also involved in planning and organizing community affairs; and

WHEREAS, Wadsworth Bradshaw gives out food as a volunteer at the food bank for the senior citizens; and

WHEREAS, Wadsworth Bradshaw is active in senior groups and looks after the elderly in his building when he, himself, is 72 years old.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh recognizes and congratulates Wadsworth Bradshaw for his community service.

Mr. Onorato moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Onorato presents

No. 412 WHEREAS, Jean Marshall was born on March 27, 1928 in Pittsburgh on Garfield Hill and raised five sons and one daughter; and

WHEREAS, Jean Marshall is involved with the Quality Control for Senior Centers Program, which identifies the needs and concerns of the Senior Centers; and

WHEREAS, Jean Marshall is the Vice-President of the Advisory Council of The Northview Heights Senior Center, and attended the seniors' trip to Baltimore, MD, sponsored by the City of Pittsburgh and Pittsburgh National Bank; and

WHEREAS, Jean Marshall is an outstanding member of "The Church of Faith Ministries" and sings in the Church Choir; and

WHEREAS, Jean Marshall takes an active role together with The Northview Heights Citizens Council in planning a luncheon at the Marriott Hotel to help combat Infant Mortality; and

WHEREAS, Jean Marshall gives of her time to help with young people by working with the Y.E.P. (Youth Employment Program), and working with young mothers.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh recognizes Jean Marshall for the exceptional contributions to her community.

Mr. Onorato moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

The Chair:

Members of Council, it's an honor to present this resolution. Actually, I have two resolutions here today; one, I'm extremely honored to present and I'd like to ask Jack Lightbody, the Head of Pittsburgh City Center Project in the City of Pittsburgh, and also Jim Wurst, who is Vice-President of Construction.

We have a resolution here and we also have some visuals and I'd like to ask the Clerk to please pass those around to Councilmembers while I read the resolution.

We also have some information that Jack has brought along pertaining to this very important project.

The Chair presents

No. 413 WHEREAS, the Pittsburgh City Center Project represents the most significant economic development opportunity for Downtown Pittsburgh in several decades; and

WHEREAS, Pittsburgh City Center, located on Grant Street, will include 650,000 square feet of distinctive office space, a 332 room luxury hotel, and 700,000 square feet of shopping space with the region's first Macy's as the featured attraction; and

WHEREAS, with total project costs

estimated at \$700 million for the entire project, the Pittsburgh City Center Project represents tremendous economic opportunities for Pittsburgh with thousands of jobs created during construction and upon completion of the project; and

WHEREAS, located on three contiguous blocks from Grant Street to the Crosstown Boulevard above the main station of the light rail transit system, Pittsburgh City Center will be easily accessible to all of Downtown Pittsburgh, Station Square and the South Hills Region and will serve as a tourist attraction and act as a catalyst to attract companies to Pittsburgh; and

WHEREAS, improvements to the existing Steel Plaza Light Rail Transit System planned in the project will provide additional capacity during the Fort Pitt Bridge closure and provide for future spine line connections to Oakland and the North Side.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize the important economic benefits of the Pittsburgh City Center Project and offers our support to make this spectacular project a reality in Downtown Pittsburgh.

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh urges all City Departments and Authorities to place a priority on the various approvals necessary to move a project of this magnitude forward expeditiously to enable Pittsburgh City Center to break ground in 1992.

Mr. Milliones moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

The Chair:

Again, Members of Council, ladies and gentlemen, it's an honor to present this resolution. I just want to elaborate on it slightly prior to Jack Lightbody talking in more detail.

The project, the magnitude of this project, has really gone unrecognized. This project in total is bigger than the Gateway Center Project built in the 1950s. It's \$700 million of construction for Downtown Pittsburgh. \$700 million represents more than the cost of the new Airport presently under construction. That identifies, truly, the importance and the magnitude of this project. It's so important that I believe that it will also increase the potential of the spine line or the extension of the Light Rail Transit System to points east and points north. This project sits on top of the main station of the LRT Station in Downtown Pittsburgh, which eventually will be the hub for the spine line.

This project needs all the priorities that can be given to it by this government, not only this government, but County government, State government, and anyone that has any interplay including the Port Authority, to make this project happen.

The reason for presenting this resolution today is to tell the world that this government wants to do everything we can to make this project move forward.

These people involved in Pittsburgh City Center have over \$40 million to date invested in this project. That's hard to believe, but there's \$40 million in design specifications, architectural specifications, core borings of the area, etc., etc. They have a full-time staff working; they have been working for years.

We need to make this project happen in 1992. Why so soon? Well, obviously its benefits

to Pittsburgh and the condition of the economy needs this project to happen as soon as possible.

So, it's an honor to present the resolution to Jack Lightbody and Jim Wurst, and I'm going to ask Jack Lightbody to please say a few words about the importance of the project.

Mr. Lightbody:

Thank you, Mr. President and City Councilmembers. On behalf of the ownership of Pittsburgh City Center Joint Venture, I want to acknowledge the vote of confidence that City Council and the Administration have shown today in making the development of Pittsburgh City Center a priority for 1992.

Pittsburgh City Center means jobs. Over 3,100 construction jobs and nearly 5,900 permanent jobs when completed in 1995. The new tax generated by the project to the City and School Board during construction in the first year of operations in 1995 amount to over \$10,500,000 for the City, and over \$4,800,000 to the City School Board. Allegheny County derives approximately \$4,350,000 in new tax revenues. The total new taxes generated for the three taxing bodies, the City, the School Board and the County, over the next 20 years amount to nearly \$186 million in today's dollars.

The international firm of CH2 Hill, located in Philadelphia, conducted the economic study conducted for Pittsburgh City Center's development. One of their research studies was multi-use projects similar to Pittsburgh City Center, and they studied numerous multi-use projects in the United States including St. Louis Center and Pentagon City which average over 100,000 people on a weekend. This means that the City can be rejuvenated on the weekends, and certainly that is a major boost to the existing retail in the central business district and hotel occupancy.

Again, we thank you for the support and we look forward to working with you. Thank you.

Mr. Cohen:

Mr. Wagner, very briefly I'd like to say that I want to commend you for introducing this resolution and to say that we need to stand as firmly as possible behind this project. I agree with you that this is such a tremendous project for the City of Pittsburgh, for Downtown.

When you look at the bottom line on the chart that you provided us, the number of jobs and the amount of tax dollars that are going to be generated for the City of Pittsburgh will be tremendous.

So, I just think that we can't, as you say, we can't put up obstacles to this project, but rather we should be laying out the red carpet.

Thank you very much for coming down.

Michelle Madoff:

Where's the Administration on all of this?

Mr. Lightbody:

They are starting, I believe next week, a new development committee to work with us on getting through some of the --

Michelle Madoff:

You're going to try to fast track it? Well, you can count on us to certainly not be bottlenecks.

The Chair:

Members of Council, I'd like to present

one last minute resolution asking your support for something that's in the news today which is the Fort Pitt Bridge and Tunnel Project. The reason why I'm doing this expeditiously is that there is a meeting tomorrow morning at 9:00 where PennDOT is going to ask the Pittsburgh community on how they should move forward with the Fort Pitt Bridge and Tunnel Project.

The resolution is very basic and I'd like to read it.

The Chair presents

No. 414 WHEREAS, the City of Pittsburgh and Western Pennsylvania are facing a fast developing transportation crisis; and

WHEREAS, the New Pittsburgh International Airport will open in October of 1992 and the City of Pittsburgh and communities east of Pittsburgh will not have adequate access to and from this new facility; and

WHEREAS, the impending shut down of the Fort Pitt Bridge and Tunnels will magnify the access problem and will have a disastrous economic impact on business and events in the City of Pittsburgh; and

WHEREAS, the Fort Pitt Bridge and Tunnels and the connecting portion of the Parkway West is the most heavily traveled road in Western Pennsylvania and is inadequate to handle existing traffic; and

WHEREAS, even with the anticipated growth in traffic to and from the New Airport, the Pennsylvania Department of Transportation has no plan in place to address present or future vehicular transportation problems; and

WHEREAS, an existing asset, the Wabash Tunnel, coupled with a new bridge over the Monongahela River to Downtown

Pittsburgh, would greatly enhance and improve access to and from the New Airport and would alleviate congestion at the Fort Pitt Bridge and Tunnels and the Parkway West.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby urge the Pennsylvania Department of Transportation to expedite the Wabash Tunnel, Bridge and Road Project and have this alternate route in place prior to starting the Fort Pitt Bridge and Tunnel Project.

Mr. Milliones moved to adopt the resolution.

Mr. Ricciardi seconded the motion.

Michelle Madoff:

Discussion. Mr. President, I was with you the day you suggested it to Henry Nutbrown or his representative on Mount Washington at the public meetings that they started to have with the community people. You raised this issue at that time. I happened to be listening to a talk show and their PR person was on the show saying, someone called in and made that recommendation, and said, yes, they were looking at the possibility and they were going to test the viability for the strength and supports of the Wabash Tunnel and the Bridge, and that they were looking at it.

I think looking at it is nice, but really, we have very little choice. We need to fast track this as well.

Are you going to be at the meeting, did you say? Will you be there when they discuss this tomorrow morning?

The Chair:

Yes.

Michelle Madoff:

I think it's terribly important and you have my complete support and I would assume the support of every Member of Council.

Mr. Milliones:

Mr. President, it seems to me perhaps that while passing the resolution conveys our desire to have the Tunnel considered, is there anything else we can do in terms of facilitating this process? Might others of us show up at the meeting as well and express our support?

It seems to me that this is the second or third resolution which we all support, but it seems, perhaps, we need to do something more substantive in order for this to happen. I'm concerned that this resolution is only a resolution.

The Chair:

I agree with you and I know how much all of you feel about this. This meeting tomorrow is really a committee that PennDOT put together that includes our Planning Department and a number of other entities in Western Pennsylvania to talk about the closure of this bridge and tunnel.

What they have not done is talked about the mitigating measures that will be taken prior to the shut down. That does not seem to be of the highest priority to them.

I'll be there tomorrow and I'll carry forth this resolution and all of your opinions and concerns. I think we should have a special meeting with them right here in these Chambers.

Mr. Milliones:

I would appreciate it, as I think the rest of my colleagues would, if you would try to arrange such a meeting.

The Chair:

Will do.

Mr. Cohen:

Mr. President, a number of us were at the Golden Triangle Association meeting where PennDOT laid out this scenario. You were there; Councilman Onorato and Councilman O'Connor were there. I think we were all struck by the fact that this was a scenario for chaos under any of the three options that they're presenting. And I think that the one that you laid out here will alleviate any of those chaotic measures that PennDOT is planning to take. So, I would be in support of a post agenda meeting to try to get them to get behind the Wabash Tunnel option and whatever else we can do.

The Chair:

Thank you.

Michelle Madoff:

I'd like to make another comment. I think the Finance Chairman, Jake Milliones, is really on target. He's saying, "Enough of the hyperbole, enough of the conversations and support; what can we do to make it become a reality?"

It would seem to me that while government is structured so that the Administration of the City is really a power structure and it's a strong Mayor system and a weak Council system, this Council has really flexed its muscles, has six votes and does have strength. I think we may be heading towards equal balance in both Council and the Administration, and I think that's healthy. And it seems to me, though, that the leadership has to come from the leadership.

The question is, where is our Mayor? Where is the Administration in coming out front and saying, "No, let's stop talking and let's start doing and what can we do to make it a reality?" And where are the Commissioners on this? I think that's terribly, terribly important and we need to bring that message home today, to the Administration, that they've got to get out front.

If nothing else, let the public know what's going to happen because you did not share with everybody, Jack, I don't think, that the Port Authority is talking about parking cars at the old abandoned railroad lines and having people double up on their cars and come in by mass transit. Well, that sounds great, but we're talking about chaos, as you said, with unbelievable proportions.

And whether they're going to do this Wabash Tunnel or not, it's not "whether" they're going to do it, it's got to be. And somebody has got to come out there from the leadership of the corporate world here, the business world, but who is the leader of this community?

The Chair:

If I may just interject. If PennDOT doesn't show some positive sign of mitigating measures, there's going to be a high noon showdown with PennDOT in the City of Pittsburgh.

Mr. Onorato:

Mr. President, I just want to say that I agree with what Councilman Michelle Madoff has just stated. If you remember the meeting many of us were at in Oakland, they talked about this same issue.

Somebody in government missed the boat on this issue. All the Federal dollars and State dollars and public dollars going into that

Airport project, and there was no plan whatsoever to address the roads coming into Pittsburgh. That was a major blunder on someone's part.

So, this isn't just a City government issue. This is the Commissioner's, it's the State Legislator's, and something has to be done. What scares me from that meeting, what I can remember, is they said that in the best case scenario, any new road would take five years and in reality probably ten years. Everyone here knows that if that Airport operates ten years without a road to Pittsburgh, you can forget it because Moon Township will be developed within ten years and we are going to lose lots of business and that will not be reversed.

So, it's critical that that road gets built and that it's the top priority, if it's either the Wabash Tunnel, Light Rail, whatever it is. And I think it has to come from not just City government but State and Federal.

Michelle Madoff:

Jack, one last thing if I may. We need to get some bumper stickers made right away that say, "Save Pittsburgh" because, as Mr. Onorato has pointed out, we're going to have the City of Pittsburgh around the Airport. We're going to be just sort of a blank space here, taking whatever cultural things we have in the City and shift in that direction.

Mr. Ferio:

I just want to echo some of the things that Michelle has said going back to the issue of leadership. I made reference to that a couple of weeks ago when I had talked about the lack of a quarter back in City government.

I believe, Mr. Wagner, you raised the issue of the Wabash Tunnel from what I can

remember at a meeting at least two years ago, the suggestion. I think two years' time has been more than enough time for the appropriate Administrators to move on the issue and resolve it, especially in light of the drastic proposal by PennDOT in relation to the closure of major thoroughfares especially as it affects those who unfortunately live near the tunnels and south of the river.

But, again, it goes back to the issue of quarterback. I pretty much have resigned myself that we don't have a quarterback in City government, at least as it relates to the Mayor's Office, and Council more and more needs to assume that role and try to fill that void. It's unfortunate and it's wrong and I hope that it changes in the next couple of years, but that is the case and I think we have to recognize that whether it's the Center City Project or this project or about 20 other things that I can talk about, and some of us have talked about some of those issues in the last few months, and I think we ought to be conscious of that. But this is not a good situation.

I really think what we need is an inner-governmental hit squad. We need a key mover and shaker at the varying levels of government, be they local, the County government, and some of the other major organizations whether it be SPRPC or State agencies, etc. But there really needs to be a pulling together of major movers and shakers who can really cut through all the B.S. and put things on the fast track. And that's not happening.

I think more and more Councilmen need to think about these issues and come up with strategies and tactics and how to deal with these issues; otherwise, we continue to sort of work in a fragmented way. We're continually re-active instead of pro-active, and we're all going to suffer for it. People are going to suffer in our region, and our City is going to suffer.

The Chair:

There's no doubt there's a void on this issue and, rather than simply criticizing PennDOT, I think what we're doing, and that's the reason why I'm asking for unanimous support here, is we're offering an alternative, something that can be done before the bridge and tunnel shut down.

And we're not just doing this for the City of Pittsburgh; we're doing this for the communities east of Pittsburgh whether it be Wilkinsburg, Homestead, Duquesne, Rankin, Braddock. If you think we're not going to have access to the jobs, think of them for a moment and how difficult it will be for them to get to the Airport.

And I have data that I haven't released yet, and will when I have it compiled, that can show the world that presently more people that work at the Airport live in Northern West Virginia and Eastern Ohio and Beaver County than they live in the City of Pittsburgh when, in fact, the residents of Allegheny County and the City of Pittsburgh have paid for this Airport.

Now, if you complicate the matters worse with the road and you shut down a bridge and a tunnel, who is going to have any access to those jobs? No one, quite frankly.

This is a crisis developing. It's a disastrous, catastrophic, potential happening. And if we don't get our act together now, we're in serious trouble.

Mr. Cohen:

Mr. President, I said my piece about the Wabash Tunnel which I agree with and how that can help the scenario for chaos that PennDOT has put forward. But, if you could also add the repair of the Smithfield Street Bridge, which you and I

have talked about several times. The bridge, which is now a two-lane bridge, could be improved to be a four-lane bridge which could relieve some of the bottleneck. It's also in atrocious condition.

I think all of these are linked together and PennDOT has said now, after dragging their feet, they said that they are going to improve the bridge prior to the closing of the Fort Pitt Tunnel. I don't see any movement on that.

So, I would like, if you could, to link these two together.

The Chair:

Good idea.

Michelle Madoff:

Jack, it just seems to me that what we've said here today is -- Well, the chicken doesn't have a head. And perhaps the President of Council needs to convene a summit meeting that would have people like labor representatives, the Golden Triangle, Legislators from all the areas that you talked about, somebody from the Governor's Office, leadership from the Black community, somebody like Rick Stafford from the Allegheny Conference, and do it yesterday. Say, "We're in a crisis.: What are we going to do in the corporate world to come up with some money, whatever needs to be done to get the message out to change this issue because their people won't get to work either.

This is going to be the largest parking lot in the world. Pittsburgh will become a parking lot. We're going to be locked in with cars and nobody will move. And I don't think people understand that. They busy worrying about paying the rent and surviving day to day, and we all understand that, and they don't realize this until they're confronted with it.

Somebody has got to have some vision and look ahead. They call it looking around corners. And I don't think that we can wait. You have to contact the Administration today. If they don't move to do something tomorrow, then you have to take the reigns and go do it.

The Chair:

We'll follow up on your idea, Councilman Milliones' idea and all of Council and I just appreciate everyone's support on this resolution.

All those in favor? Opposed?

WHICH MOTION PREVAILED.

Mr. Cohen presented

No. 342 Resolution authorizing and directing the City Controller to create a special trust fund, to be designated as the Lead Prevention Policy Commission Trust Fund, for the deposit of funds derived from grants and/or donations, and authorizing the use of the funds deposited therein for any and all expenses associated with salaries, supplies, materials and other miscellaneous expenses of the Commission. --(SPONSORED BY MR. COHEN)

Which was read and referred to the Committee on Finance.

Mr. Cohen moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Onorato seconded the motion.

Which motion prevailed.

Also,

No. 343 Resolution amending Bill No. 149, passed in Council February 18, 1992 (Resolution No.), entitled "Providing for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Department of Housing & Urban Development for a grant in connection with the 1992 CDBG Program," so as to reduce the overall grant amount from \$18,556,000.00 to \$18,366,000.00.

Also,

No. 344 Resolution providing for an Agreement or Agreements with various community organizations for operation/administrative expenses, maintenance, purchase of equipment; and/or minor rehabilitation of neighborhood facilities for the benefit of residents of the City of Pittsburgh, at a cost not to exceed \$119,580.00, chargeable to and payable from Code Account 1103 (110304) Misc. Services, Department of City Planning.

Also,

No. 345 Resolution authorizing the URA of Pgh. to acquire that property in the 8th Ward of the City of Pittsburgh owned by Patricia Clyburn Berry a/k/a Patricia Clyburn Berry Smith, and designated as Block and Lot 50-S-82 (16 Clarendon Place) in the Deed Registry Office of Allegheny County, for the fair market value, under the Residential Land Reserve Fund. This property is being acquired for resale to a redeveloper who will rehab the structure. (Council District No. 8)

Also,

No. 346 Resolution approving execution of a Contract for Disposition of Land by and between the URA of Pgh. and Carol R. Mimmerly

for the sale of Block 50-S Lot 82 (16 Clarendon Place) for the sum of \$1,450.00 in the 8th Ward of the City of Pittsburgh. The property was acquired following certification as blighted property by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh. (Council District No. 8)

Also,

No. 347 Resolution authorizing the URA of Pgh. to condemn and acquire all of the City's right, title and interest, if any, in and to the publicly owned in the 15th Ward of the City of Pittsburgh, Block and Lot 56-F-354, known as 4823 Chatsworth Street, for the fair market value, under the Residential Land Reserve Fund, said property has been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh. (Council District No. 5)

Also,

No. 348 Resolution approving execution of a Contract for Disposition of Land by and between the URA of Pgh. and Thomas L. Williams for the sale of Block 56-F Lot 354 (4823 Chatsworth Street) for the sum of \$300.00, in the 5th Ward of the City of Pittsburgh. The redeveloper plans to use the property as a sideyard. The property is approx. 2,990 sq. ft. (Council District No. 5)

Also,

No. 349 Resolution authorizing the URA of Pgh. to acquire that property in the 15th Ward of the City of Pittsburgh owned by Louis W. DeGore and Elizabeth C. DeGore, and designated as Block and Lot 55-L-260 (520 Susanna Court a/k/a 4460 McCaslin Street) for the fair market value, in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund. This property is being acquired for resale to a redeveloper to complete their site

assemblage for construction of a new home. This property has been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh. (Council District No. 5)

Also,

No. 350 Resolution approving execution of a Contract for Disposition of Land by and between the URA of Pgh. and Gerald H.F. Gardner and Joann EvansGardner for the sale of Block 55-L Lot 260 (520 Susanna Court a/k/a 4460 McCaslin Street) for the sum of \$850.00, in the 15th Ward of the City of Pittsburgh. The redeveloper, Gerald H.F. Gardner and JoAnn EvansGardner, plans to construct a new home on this parcel and their adjoining parcel. The parcel is 13,940 sq. ft. (Council District No. 5)

Also,

No. 351 Resolution authorizing the URA of Pgh. to condemn and acquire those properties, under the Residential Land Reserve Fund, said properties having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh. (Council Districts 1, 2, 3, 5 & 6).

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Darkins presented

No. 352 Resolution transferring the amount of \$33,449.00 from Code Account 1612-4, Salt, to Code Account LFT, Liquid Fuels Tax, both accounts within the Department of Public Works. This transfer will rectify an audit finding for 1988.

Which was read and referred to the Committee on Finance.

Also,

No. 353 Resolution for a Contract or Contracts, or the use of existing Contracts for the design, lease purchase and installation of high pressure sodium street lighting for the Department of Public Works, for a period not to exceed five (5) years, at a cost not to exceed \$1,200,000.00 for 1992, chargeable to and payable from Code Account 1545, Street Lighting, Index Code 154500, and amounts appropriated from time to time in succeeding calendar years.

Which was read and referred to the Committee on Public Works.

Mr. Ferlo presented

No. 354 Resolution authorizing and directing the Director of the Department of Public Works to grant into Teamsters Local 250, 4127 Brownsville Road, the privilege and license to construct, maintain and use at her own cost and expense, a portion of the right of way of Woodmere Drive in the 28th Ward, 11th Voting District of the City of Pittsburgh. ---**(SPONSORED BY MR. FERLO, MR. DARKINS & MR. RICCIARDI)**

Which was read and referred to the Committee on Public Works.

Mr. Ferlo moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. Milliones presented

No. 355 Resolution providing for the issuance of a \$2,900.73 warrant in favor of Michael and Sandra Tamiggi in settlement of claim for property damage incurred as the result of the Water Department excavating to close to claimant's sewer line on Hoosac Street, payable from Code Account No. 46, Judgments.

Also,

No. 356 Resolution providing for the issuance of a warrant in the sum of \$20,000.00 to Seth J. and Stephanie G. Spaulding and John P. Joyce, Esquire, 2200 Grant Building, Pittsburgh, PA 15219 in full and final settlement of an alleged accident involving a City vehicle and the automobile belonging to Seth J. and Stephanie G. Spaulding at Paulowna Street and Herron Hill in the City of Pittsburgh on or about August 6, 1986, payable from Code Account No. 46, Judgments.

Also,

No. 357 Resolution providing for the issuance of a warrant in the sum of \$30,000.00 to Alex Scott and John Gismondi, Esquire, 606 Grant Building, Pittsburgh, PA 15219 in full and final settlement of an alleged accident involving a fall on City steps at Perrysville Avenue and Arch Street in the City of Pittsburgh on or about April 24, 1989, payable from Code Account No. 46, Judgments.

Also,

No. 358 Resolution providing for an Agreement or Agreements with Church of the Good Shepherd and the Shepherd Wellness Community, a non-profit organization to provide bi-weekly dinners and other services for City residents at a cost not to exceed \$12,000.00, chargeable to and payable from Code Account No. 1100, Misc. Services, Department of

Personnel and Civil Service Commission.

Also,

No. 359 Resolution providing for an Agreement or Agreements with Miracle Temple Bibleway Church, to provide a word processing learning center for City residents at a cost not to exceed \$3,000.00, chargeable to and payable from Code Account No. 1100, Misc. Services, Department of Personnel and Civil Service Commission.

Also,

No. 360 Resolution providing for an Agreement or Agreements with Pearline Smith, d/b/a Teen Works, to provide a youth tutoring service for City residents at a cost not to exceed \$500.00, chargeable to and payable from Code Account No. 1100, Misc. Services, Department of Personnel and Civil Service Commission.

Also,

No. 361 Resolution providing for an Agreement or Agreements with Black Vietnam Era Veterans of Western Pennsylvania, Inc., a non-profit organization to provide referral and support services for City resident veterans and their families at a cost not to exceed \$5,000.00, chargeable to and payable from Code Account No. 1100, Misc. Services, Department of Personnel and Civil Service Commission.

Also,

No. 362 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties, acquired at tax sales in accordance with Act No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

Which were severally read and referred to the

Committee on Finance.

Mr. O'Connor presented

No. 363 Resolution amending Resolution No. 1116 of 1984 entitled "Providing for the establishment of an Imprest Fund for the Pittsburgh Zoo in the amount of \$3,500.00" to increase the total amount and change the funding source. Requesting that the Imprest Fund be increased to \$12,500.00, due to the increased number of ticket locations and increased attendance at the Pittsburgh Zoo. This Resolution would authorize the issuance of a warrant in the amount of \$9,000.00, payable to the Director of the Department of Parks and Recreation, chargeable to Code Account PZTF, Pittsburgh Zoo Trust Fund, in the Department of Parks and Recreation.

Also,

No. 364 Resolution providing for an Agreement or Agreements with the Stanton Heights Recreation Association, for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh at a cost not to exceed \$5,000.00, chargeable to and payable from Code Account 1838, Misc. Services, Recreation, Department of Parks and Recreation.

Also,

No. 365 Resolution providing for an Agreement or Agreements with the Afro American Heritage Parade Association, Inc., for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh at a cost not to exceed \$1,500.00, chargeable to and payable from Code Account 1838, Misc. Services, Recreation, Department of Parks and Recreation.

Also,

No. 366 Resolution providing for an Agreement or Agreements with the Arsenal Board of Trade for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh at a cost not to exceed \$3,500.00, chargeable to and payable from Code Account 1838, Misc. Services, Recreation, Department of Parks and Recreation.

Also,

No. 367 Resolution providing for an Agreement or Agreements with the Western Pennsylvania Conservancy for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh at a cost not to exceed \$15,000.00, chargeable to and payable from Code Account 1838, Misc. Services, Recreation, Department of Parks and Recreation.

Also,

No. 368 Resolution providing for an Agreement or Agreements with the Champions Association Inc. for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh at a cost not to exceed \$10,000.00, chargeable to and payable from Code Account 1838, Misc. Services, Recreation, Department of Parks and Recreation.

Also,

No. 369 Resolution providing for an Agreement or Agreements with the Sharing and Caring for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh at a cost not to exceed \$7,000.00, chargeable to and payable from Code Account 1838, Misc. Services, Recreation, Department of Parks and Recreation.

Also,

No. 370 Resolution providing for an Agreement or Agreements with the Greenfield Organization for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh at a cost not to exceed \$3,000.00, chargeable to and payable from Code Account 1838, Misc. Services, Recreation, Department of Parks and Recreation.

Also,

No. 371 Resolution providing for an Agreement or Agreements with the Saint Leo's Athletic Association, for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh at a cost not to exceed \$1,350.00, chargeable to and payable from Code Account 1838, Misc. Services, Recreation, Department of Parks and Recreation.

Also,

No. 372 Resolution providing for an Agreement or Agreements with the West End Elliott Athletic Association, for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh at a cost not to exceed \$3,000.00, chargeable to and payable from Code Account 1838, Misc. Services, Recreation, Department of Parks and Recreation.

Also,

No. 373 Resolution providing for an Agreement or Agreements with the 15th Ward Chamber of commerce, for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh at a cost not to exceed \$3,000.00, chargeable to and payable from Code Account 1838, Misc. Services, Recreation, Department of Parks and Recreation.

Also,

No. 374 Resolution providing for an

Agreement or Agreements with the Overbrook Community Council, for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh at a cost not to exceed \$500.00, chargeable to and payable from Code Account 1838, Misc. Services, Recreation, Department of Parks and Recreation.

Also,

No. 375 Resolution providing for an Agreement or Agreements with the East Liberty Development Corporation, for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh at a cost not to exceed \$500.00, chargeable to and payable from Code Account No. 1838, Misc. Services, Recreation, Department of Parks and Recreation.

Also,

No. 376 Resolution providing for an Agreement or Agreements with the Beechview Community Council, for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh at a cost not to exceed \$5,000.00, chargeable to and payable from Code Account 1838, Misc. Services, Recreation, Department of Parks and Recreation.

Also,

No. 377 Resolution providing for an Agreement or Agreements with the Allegheny Trails Council, for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh at a cost not to exceed \$2,000.00, chargeable to and payable from Code Account 1838, Misc. Services, Recreation, Department of Parks and Recreation.

Also,

No. 378 Resolution providing for an Agreement or Agreements with the Federation of

War Vets, for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh at a cost not to exceed \$5,320.00, chargeable to and payable from Code Account 1838, Misc. Services, Recreation, Department of Parks and Recreation.

Also,

No. 379 Resolution providing for an Agreement or Agreements with the Greater North Side Athletic Association, for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh at a cost not to exceed \$1,500.00, chargeable to and payable from Code Account 1838, Misc. Services, Recreation, Department of Parks and Recreation.

Also,

No. 380 Resolution providing for an Agreement or Agreements with the City Theatre Inc. for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh at a cost not to exceed \$4,000.00, chargeable to and payable from Code Account 1838, Misc. Services, Recreation, Department of Parks and Recreation.

Also,

No. 381 Resolution providing for an Agreement or Agreements with the Bloomfield Citizens Council for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh at a cost not to exceed \$3,000.00, chargeable to and payable from Code Account 1838, Misc. Services, Recreation, Department of Parks and Recreation.

Also,

No. 382 Resolution providing for an Agreement or Agreements with the George

"Dew" Brown Basketball League for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh at a cost not to exceed \$2,000.00, chargeable to and payable from Code Account 1838, Misc. Services, Recreation, Department of Parks and Recreation.

Also,

No. 383 Resolution providing for an Agreement or Agreements with the Uptown Little League for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh at a cost not to exceed \$5,000.00, chargeable to and payable from Code Account 1838, Misc. Services, Recreation, Department of Parks and Recreation.

Also,

No. 384 Resolution providing for an Agreement or Agreements with the Pittsburgh Trust for Cultural Resources for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh at a cost not to exceed \$6,000.00, chargeable to and payable from Code Account 1838, Misc. Services, Recreation, Department of Parks and Recreation.

Also,

No. 385 Resolution providing for an Agreement or Agreements with the Pittsburgh Summer Basketball League for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh at a cost not to exceed \$4,000.00, chargeable to and payable from Code Account 1838, Misc. Services, Recreation, Department of Parks and Recreation.

Also,

No. 386 Resolution providing for an Agreement or Agreements with the Pittsburgh

Dance Council for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh at a cost not to exceed \$2,500.00, chargeable to and payable from Code Account 1838, Misc. Services, Department of Parks and Recreation.

Also,

No. 387 Resolution providing for an Agreement or Agreements with the Brashear Association for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh at a cost not to exceed \$10,000.00, chargeable to and payable from Code Account 1838, Misc. Services, Recreation, Department of Parks and Recreation.

Which were severally read and referred to the Committee on Parks and Recreation.

Also,

No. 388 Resolution providing for the letting of a Contract or Contracts, or the use of existing Contracts for fence repairs for the Department of Parks and Recreation at a cost not to exceed \$30,000.00, chargeable to and payable from Code Account 3-10-10-1655-92, Fence Repairs, Department of Parks and Recreation.

Also,

No. 389 Resolution providing for the letting of a Contract or Contracts, or the use of existing Contracts for asphalt repairs for the Department of Parks and Recreation at a cost not to exceed \$100,000.00, chargeable to and payable from Code Account 3-10-10-0002-92, Asphalt Repairs, Department of Parks and Recreation.

Also,

No. 390 Resolution providing for the

letting of a Contract or Contracts, or the use of existing Contracts for the installation of picnic shelters for the Department of Parks and Recreation at a cost not to exceed \$30,000.00, chargeable to and payable from Code Account 3-10-10-1640-92, Erect Pre Fab Non Permit Picnic Shelters, Department of Parks and Recreation.

Also,

No. 391 Resolution providing for the letting of a Contract or Contracts, or the use of existing contracts for the installation of safety surface for the Department of Parks and Recreation at a cost not to exceed \$175,000.00, chargeable to and payable from Code Account 3-10-10-1710-92, Play Area Safety Improvements, Department of Parks and Recreation.

Also,

No. 392 Resolution providing for the letting of a Contract or Contracts, or the use of existing Contracts for concrete repairs for the Department of Parks and Recreation at a cost not to exceed \$75,000.00, chargeable to and payable from Code Account 3-10-10-1700-92, Concrete Repairs to Park Facilities, Department of Parks and Recreation.

Which were severally read and referred to the Committee on General Services.

Mr. Onorato presented

No. 393 Resolution providing for an Agreement or Agreements with Mediation Services for professional services at a cost not to exceed \$20,000.00, chargeable to and payable from Code Account 1401, Bureau of Administration, Department of Public Safety.

Also,

No. 394 Resolution providing for an

Agreement or Agreements with National Night Out for services for the residents of the City of Pittsburgh during 1992 at a cost not to exceed \$2,500.00, chargeable to and payable from Code Account 1401, Bureau of Administration, Department of Public Safety.

Also,

No. 395 Resolution providing for an Agreement or Agreements with the Zone 3 Public Safety Council for professional services for the residents of the City of Pittsburgh at a cost not to exceed \$3,000.00, chargeable to and payable from Code Account 1401, Bureau of Administration, Department of Public Safety.

Also,

No. 396 Resolution providing for an Agreement or Agreements with the Legal Aid Society for professional services for the residents of the City of Pittsburgh at a cost not to exceed \$3,000.00, chargeable to and payable from Code Account 1401, Bureau of Administration, Department of Public Safety.

Also,

No. 397 Resolution providing for an Agreement or Agreements with Alpha House for professional services for the residents of the City of Pittsburgh at a cost not to exceed \$1,000.00, chargeable to and payable from Code Account 1401, Bureau of Administration, Department of Public Safety.

Also,

No. 398 Resolution providing for an Agreement or Agreements with the Sickle Cell Society for professional services at a cost not to exceed \$1,000.00, chargeable to and payable from Code Account 1401, Bureau of Administration, Department of Public Safety.

Also,

No. 399 Resolution providing for an Agreement or Agreements with the Parental Stress Center for professional services for the residents of the City of Pittsburgh at a cost not to exceed \$2,500.00, chargeable to and payable from Code Account 1401, Bureau of Administration, Department of Public Safety.

Also,

No. 400 Resolution authorizing the City to enter into an Agreement or Agreements with the Board of Public Education of the School District of Pittsburgh to provide Project D.A.R.E. (Drug Abuse Resistance Education) to the Pittsburgh Public Schools. Project D.A.R.E. shall include comprehensive education on: alcohol and other drug identification; effects and consequences of use; peer and related pressures; resistance skills; self-esteem building; assertiveness; stress management; decision-making; risk-taking; and alternatives to alcohol and other drug use. Any payments for services rendered to the Board of Public Education pursuant to any such agreements shall be deposited into the Project D.A.R.E. Trust Fund, Department of Public Safety.

Which were severally read and referred to the Committee on Public Safety.

Mr. Ricciardi presented

No. 401 Resolution providing for an Agreement or Agreements with the County of Allegheny for the purpose of providing forensic laboratory services to the Department of Public Safety, Bureau of Police for the month of March 1992. The total cost shall not exceed \$18,844.00, chargeable to and payable from Code Account 1017, Misc. Services, Office of the Mayor.
--(SPONSORED BY MR. RICCIARDI)

Which was read and referred to the Committee on Public Safety.

Mr. Ricciardi moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Darkins seconded the motion.

Which motion prevailed.

Also,

No. 402 Resolution providing for the issuance of a warrant in favor of Public Strategies, Inc., One Bigelow Square, Suite 616, Pittsburgh, PA 15219, in the month of \$1,600.00 in payment for professional consulting services rendered to Councilman Eugene Ricciardi for the month of March 1992, chargeable to and payable from Code Account 1001-2, Salaries, Wages and Services of Council, As Needed, (Index Code 100123), City Council, District 3.
---(SPONSORED BY MR. RICCIARDI)

Which was read and referred to the Committee on Finance.

REPORTS OF COMMITTEES

Mr. Milliones presented

Bill No. 403

Report of the Committee on Finance for February 26, 1992 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 54

A Resolution entitled, "Resolution authorizing the transfer of the amount of \$5,000 from the Property Tax Reduction Trust Fund (PTRTF), to the Firearms Redemption Trust Fund (FRTF)."
---(SPONSORED BY MR. RICCIARDI) (AS AMENDED IN COMMITTEE)

Which was read.

Michelle Madoff:

On Bill 54, may I request an opinion? Is No. 56 identical? They read identically. Absolutely verbatim. Each word. No. 54, which is the first bill today, and No. 56, which is under the Committee on Public Safety, are a verbatim duplication.

Mr. Ricciardi:

There should be three companion bills.

Michelle Madoff:

There are three bills. 54 is the transfer of money, 55 is to spend the money and 56 is the same as 54.

Mr. Ricciardi:

One of the bills should be directing the Pittsburgh City Controller to establish a trust fund. It appears that Michelle Madoff is correct.

Bill No. 54 should be the bill establishing the trust fund. Bill No. 55 under Public Safety is the program itself. That bill is correct. Bill No. 56 is --

It appears that when we made up the agenda that the trust fund was --

Mr. Perry:

The Files are incorrect but the original is correct.

Mr. Ricciardi:

Thank you for pointing that out, Michelle.

The Chair:

I'd like my comments brought forward on Bill No. 54 as it relates to that group of bills.

Mr. Cohen:

I'd like my comments brought forward, please, on Bill No. 54.

Mr. Onorato:

I'd like my remarks brought forward also.

(REMARKS ON FOLLOWING PAGES)

(MESSRS. COHEN, ONORATO AND WAGNER'S REMARKS, BILL NO. 54)
(Wednesday, February 26, 1992)

Mr. Onorato:

I also support the bill. I would just like to make a few comments. One, the reason I support it is because I think it send a strong message to the citizens of Pittsburgh, and the message is that we are not just going to sit back and do business as usual.

This is interesting legislation, it is only a small part of a bigger plan, but it is a new idea, an idea that we have to start thinking about. It is easy to shoot down any new legislation and criticize it and say, "It won't work, it won't work, it won't work." The point is, we have to try. Some will work, some won't work.

The only negative thing I saw in this whole bill, and a legitimate complaint, was people are saying that we shouldn't use tax dollars for a plan that won't work. We solved that problem. We are only putting in \$5,000.00 of the city tax dollars. The way this plan is going to work is we are going to try to look for private donations. I hope that the Administration helps find the private money, Council tries to find the private money, because that way, the city will benefit without having to let it fall on the shoulders of the taxpayers.

I hope this is the beginning of legislation and the way we think how to treat the whole city, and I think in the long run it is part of a bigger plan. I am in support of it.

(Deleted text.)

Mr. Cohen:

I would like to also add my words of support. I would congratulate Mr. Ricciardi on the bill. I do think this would prevent some domestic accidents and injuries from domestic disputes.

I think we have to be careful here as well, however, and not mislead people into thinking that this is an anti-crime measure, because it really isn't. We have our work cut out for us in combating real crime. But I do think it is a bill worth supporting. I think \$5,000.00 isn't enough, and I know Councilman Ricciardi would say the same thing; that really only pays lip service to the issue. I hope, very strongly hope, that we put together a campaign, a community-wide campaign to raise private dollars for this measure. They did so in Philadelphia and St. Louis, and I hope they do so here in Pittsburgh, as

well.

(Deleted text.)

Mr. Wagner:

I also support legislation, I think it is a good piece of legislation. There has been some doubts publicly that this legislation will save a life. I am convinced it will save an accidental life, whether it is tomorrow, whether it is next year. I am sure that some how, some way that will happen, particularly as my colleagues have stated, as it relates to domestic violence.

Certainly, if the program can work in Philadelphia and St. Louis, I am absolutely positive with the cooperative spirit that exists in the City of Pittsburgh it has a better chance of being successful here than in other cities.

I would just ask that the Administration give this piece of legislation its total support, identify an individual within the Police Bureau that oversees this program and properly monitors the program and works with it to enhance it. I really think that is the only way it can work.

(Deleted text.)

(End of remarks)

(Transcribed by Helen L. Kriebel)

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Millions	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 167

A Resolution entitled, "Resolution authorizing the Mayor and the City Solicitor to enter into an agreement or agreements for the hiring of counsel to assist in the representation of the City of Pittsburgh for outside legal counsel at a cost not to exceed \$75,000.00 (Seventy-Five Thousand Dollars) chargeable in and payable from Code Account 1075, Index Code 107508, Miscellaneous Services, Department of Law."

Which was read.

Mr. Ferlo:

I'd like my comments brought forward on Bill 167.

(REMARKS ON FOLLOWING PAGE)

(MR. FERLO'S REMARKS ON BILL NO. 167 - Wednesday, 2/26/92)

Mr. Ferlo:

My only concern, I voted previously in support, obviously the Solicitor needs from time to time outside legal assistance, especially where certain cases are involving certain levels of expertise. I have no problem with this legislation.

I am voting no on the legislation. As I told you, I do not think Bernie Schneider is competent and I know that this bill is paying for the services for that legal counsel involved with the collective bargaining agreements. He has cost us millions of dollars. I don't know why the Administration maintains this individual as the person responsible for negotiating with the firefighters. That is why I am voting no.

(End of remarks)

(Transcribed by Helen L. Kriebel)

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Michelle Madoff	Mr. Wagner
Mr. Millions	(Pres't)

AYES 7 NOES 2

(MR. FERLO AND MR. RICCIARDI VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 267

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Lanier Worldwide, Inc., in the amount of Five Hundred Two Dollars and Fifty Cents (\$502.50) in payment for supplies for upkeep of Bureau of Refuse Fax Machine."

Which was read.

Also,

Bill No. 273

A Resolution entitled, "Resolution providing for the issuance of a warrant in the sum of \$9,000.00 to Katherine Willis and John D. Hendricks,

Esquire, 5 Grandview Avenue, Pittsburgh, PA 15211 in full and final settlement of an alleged accident involving a City police vehicle at or near the intersection of Baum Boulevard and Graham Street on or about May 19, 1989."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Millions	(Pres't)

AYES 9 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 274

A Resolution entitled, "Resolution providing for the issuance of a \$15,000.00 warrant in favor of Richard and Rosalie Larus in settlement of claim for property damage."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Darkins	Mr. O'Connor
Mr. Ferlo	Mr. Onorato
Michelle Madoff	Mr. Ricciardi
Mr. Milliones	Mr. Wagner
	(Pres't)

AYES 8 NOES none

(MR. COHEN ABSTAINING)

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 275

A Resolution entitled, "Resolution providing for conveyance by the City of Pittsburgh of certain property, under Act No. 171 of 1984, entitled, 'Second Class City Treasurer Sale and Collection Act', effective December 11, 1984."

Which was read.

Also,

Bill No. 276

A Resolution entitled, "Resolution amending Resolution No. 470, Item F, effective June 6, 1991, which authorized the sale of a three story, inselbrick, multi dwelling, known as 611 Lorenz Avenue, 20th Ward, designated as Block 20 R, Lot 196, to Robert K. Kaniuff, for the sum of \$5,000.00."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Darkins presented

Bill No. 404

Report of the Committee on Public Works for February 26, 1992 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 268

A Resolution entitled, "Resolution providing for a Contract or Contracts, or the use of existing Contracts for the purchase of anchoring and foundation equipment and providing for the

payment of the cost thereof."

Which was read.

Also,

Bill No. 269

A Resolution entitled, "Resolution granting unto the Serb National Federation, One Fifth Avenue, Pittsburgh, PA 15222, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a canopy for the One Fifth Avenue Building on a portion of the sidewalk of Fifth Avenue in the 2nd Ward, 6th Voting District of the City of Pittsburgh."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 7 **NOES** none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Cohen presented

Bill No. 405

Report of the Committee on Planning, Housing and Development for February 26, 1992 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 256

A Resolution entitled, "Resolution amending Resolution No. 507 effective May 30, 1991 as amended by Resolution Nos. 706, 956, 1148, and Resolution No. 1221 of 1991, for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1991 Community Development Block Grant Program," so as to reprogram funds under City Council."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 9

NOES none

And there being a majority of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 258

A Resolution entitled, "Resolution amending Resolution No. 636, approved July 23, 1986, entitled 'Providing for the implementation of a Residential Parking Program (RPPP) in the Allegheny West community pursuant to Pittsburgh Code, Chapter 549,' so as to expand the streets included in the existing Allegheny West RPPP Area 'G'."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Michelle Madoff	Mr. Ricciardi
Mr. Milliones	Mr. Wagner
	(Pres't)

AYES 8

NOES 1

(MR. FERLO VOTING NO)

And there being a majority of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 259

A Resolution entitled, "Resolution amending Resolution No. 9, effective February 3, 1992, entitled 'Resolution providing for the authorization and transfer to the General Fund of the City of Pittsburgh for reimbursement of Salaries and Indirect Costs for the Community Development Block Grant Program,' so as to separate the Costs into Salaries and Indirect Costs of CD."

Which was read.

Also,

Bill No. 260

A Resolution entitled, "Resolution amending Resolution No. 699, effective July 20, 1990, entitled 'Resolution providing for an Agreement or Agreements with the Three Rivers Center for Independent Living for the rehabilitation of their basement for use as a multi-purpose center, at a cost not to exceed \$7,000.00,' so as to change the purpose and use of funds to purchasing of office equipment and furniture."

Which was read.

Also,

Bill No. 261

A Resolution entitled, "Resolution amending Resolution No. 1406, effective December 31, 1990, entitled 'Providing for an Agreement or Agreements with the South Pittsburgh Economic Revitalization Team for distribution to Neighborhood Block Watches in Councilmanic District 3 at a cost not to exceed \$2,320.00,' so as to change the purpose of the resolution from 'Block Watches' to 'administrative/operating

costs for job development and economic development activities'."

Which was read.

Also,

Bill No. 262

A Resolution entitled, "Resolution amending Bill No. 118, passed in Council February 11, 1992 (Resolution No.), entitled 'Providing for an Agreement(s) with the Three Rivers Employment Agency for program support', so as to increase the amount appropriated from \$5,000.00 to \$10,000.00."

Which was read.

Also,

Bill No. 264

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Arch Court Associates for the sale of Block 23K Lots 342 and 346 in the 22nd Ward of the City of Pittsburgh (CONSTRUCTION OF EXTENDED ATTENTION FACILITY)."

Which was read.

Also,

Bill No. 263

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire all of the City's right, title and interest, if any, in and to the publicly-owned property in the 22nd Ward of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County, as Block 23K Lots

342 and 346, under the Residential Land Reserve Fund."

Which was read.

Also,

Bill No. 265

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and the Buncher Company for the sale of Lots 301 and 302 in the 6th Ward of the City of Pittsburgh (WAREHOUSE)."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. O'Connor presented

Bill No. 406

Report of the Committee on Parks and Recreation for February 26, 1992 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 92

A Resolution entitled, "Resolution providing for a Lease or Leases and/or License Agreements for the use of certain property for Senior Citizen Facilities and/or Management Agreements for the provision of center services to senior citizens in an amount not to exceed \$182,364.00, chargeable to and payable from (SCPTF), (254250), Senior Citizen Program Trust Fund."

Which was read.

Mr. Ferlo:

Mr. President, I'd like to make a motion to amend Bill No. 92 with the following:

On Section 1, my amendment would read that upon execution the lease shall include provisions for accessibility improvements, if needed, to ensure access for people with disabilities.

Secondly would be a new section added to this bill and Section 2 would be an additional amendment to this bill and it would read as follows:

"Prior to the entering into any future lease or leases and/or license agreements and/or management agreements, the Mayor, the Director of the Department of Parks and

Recreation and the Director of the Department of Finance shall convene an advisory committee consisting of senior center representatives, community leaders and Members of Council for the purpose of reviewing said leases or agreements and making recommendations with regard to appropriateness of facilities, location, rental payments, and other lease terms and any other matter deemed important to the Committee. Said recommendations shall be provided to Councilmembers in the form of a report."

I'd like to make that in the form of a motion and then briefly discuss it.

Mr. Ricciardi seconded the motion.

Mr. Ferlo:

It's one amendment, two sections of the bill.

Again, these bills were held for several weeks. Some of us feel that some of the leases are controversial. These two amendments are intended to do the follow:

I went around to about ten of the centers and several of the centers are not accessible. Some of the centers could easily be made accessible in this interim period, even with entering into the existing execution of the leases that we have. Some of them just involve designated parking, minimal construction of a ramp, doorway considerations.

So, I'm just saying that even though we're entering into contracts this year, we should still work within the constraint of those contracts to improve the accessibility.

Secondly, because we've had this problem that we've raised for many years, at least in the three years that I've been here, that in a long-range situation we need to, prior to next year

when we once again debate these leases, I would prefer that we receive a report from the Administration as I've outlined here.

There are a number of Councilmembers who legitimately have talked about centers located in the West End and elsewhere where the condition of the property is less than desirable.

What I'm trying to do here is rather than each year we continually get confronted with the fact that we have to approve the money for the leases, we should throughout the year try to come up with a fashion or way that we could solve some of these problems. And the best way to begin to do it is the process itself. Rather than just the Administration coming to Council each year carte blanche, let's turn it around a little bit. Let's try to create a committee made up of some of the recognized community leaders, representatives from the senior centers themselves, going into some of the things that Michelle outlines in her Department of Aging bill, as well as Councilmembers who are very knowledgeable of the community and have opinions about locations and the appropriateness of the centers.

So, the idea of the advisory committee is to ferret out some of these issues as well as possibly the issues of programming, you know, what goes on in some of these centers, the desirability, the location, etc. That's the intent of the second part of the motion.

Michelle Madoff:

I don't have any problems with the amendments; I just don't think they go far enough. The whole concept of creating the Department of Aging is to address the structures people are in, parity that one community doesn't have a wonderful - even within my own district - one community center and another one has St. James Church where you can't get down a steep hill. People just don't have access. We just can't

allow ten years to go by and the Administration say, "But we're looking, and we'll look again next year." And if there's a problem with the community not getting the right person to resolve the problems. This is ten years. Those people have been in the St. James Church going down in the basement in the West End and can't get there. Something has to be resolved.

I have talked to Mr. Onorato. We need to get some legislation that gets parity. Equitable division of the dollars available to communities so that every community has the same kind of senior citizen entities, not just special communities. That's my great concern.

The West End has been completely shut aside and it's really reprehensible.

Mr. O'Connor:

I like the amendments and I like the idea of getting some groups and boards together with the Mayor's Office and Parks and Recreation, especially organizations in the community who know the community best, but I think going back to some of our problems that all day we've been talking about, I think each community needs a quarterback and I feel the Councilman from that district should probably be the quarterback to work with these different organizations. And, as Mr. Ferlo said, if it needs remodeled or we need a new place, we should be the catalyst to get that done.

Mr. Millions:

As Mr. Ferlo presented the amendments, I thought they were separated. He has two motions but he has combined them as one amendment.

Mr. Ferlo:

If you feel it's more appropriate, I will

separate them.

Mr. Milliones:

I can support motion one, but I can't support motion two.

Mr. Ferlo:

Mr. President, I think it would be good if we just separate them and let people vote them up and down, each one.

The Chair:

Okay, let's deal with motion one first, that shall include provisions for accessibility improvements, if needed, to ensure access for people with disabilities.

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Darkins	Mr. O'Connor
Mr. Ferlo	Mr. Onorato
Michelle Madoff	Mr. Ricciardi

AYES 8 NOES none

(MR. WAGNER ABSTAINING)

And a majority of the votes of Council being in the affirmative, the motion passed finally.

The Chair:

Section 2, which is the more in depth amendment, is there any discussion?

Mr. Ferlo:

Just a follow up comment. Again, I'm only saying, as Michelle began to outline, that prior to next year when we once again enter into a contract and come up with the authorizing resolution to spend the money, I'm saying that the Administration shall supply a report. And part of that dynamic is the process itself.

I think if you look City-wide, some of the most exciting senior centers we have are those that are not isolated to only the Parks Department but have been fully integrated into the community itself. For instance, in Perry South, Perry Central, a new building was constructed. Our rent and money is going to actually pay for a very new, very beautiful building and it's money well spent. It came about as a result of a cooperative relationship with the community group as well as State Legislators, etc.

I could pick an example in each place around the City. An example also in the Lawrenceville Senior Center, obviously we've had the recent concerns raised about the racial incidents recently. A task force has been formed. I had made a suggestion that since we're already renting the facility during the day for the senior center, maybe it would be possible in the evening for some youth programming to go on in the center. It's right in the hub of some of the current problems in Lawrenceville.

That's just an example, but I think through a working committee with Council represented, as Mr. O'Connor says, knowing our districts with some of the community leaders represented, working with the Administration we can begin to address some of these issues.

Michelle Madoff:

I don't have any problem with the amendment but what I have a problem with is not weakening the new Department of Aging. I have enough problem on my right flank with the Administration trying to turn it into pabulum. I don't want to have bills that are not incorporated into the Department of Aging program.

I don't think it will hurt to pass this, but this is the kind of thing that when you look for the committee, there is an existing committee already. The people have lobbied us in 1990 for the 1991 budget. The people have lobbied us in 1991 for the 1992 budget. The people who came on the tax swap who are very familiar with the problems of the City and do represent the entire City. I don't want to see this pass and then have the Administration appoint a committee that it's like the Water and Sewer Authority. It doesn't matter who we put on it, we can't get anything we want. These people are the most knowledgeable and I have a concern about that.

I don't think it's going to weaken my bill but, on the other hand, I want to be sure that when we get to the Department of Aging that I'll bring back in a week or so, that we will stress the fact that not only this but if you read the paper this weekend they talk about senior citizens not eating correctly, looking out for food, the kind of food they should eat for nourishment and so on.

But those are the issues that the seniors and their representatives and all the communities that are in existence already should be taking a look at. We don't need to re-invent the wheel to give control of the Department of Aging to anyone, whether it's this Council or the Administration. I think the people in the program should be involved in it and this should be discussed with the Department of Aging, the Senior Citizen Advisory Board. I don't think it's

going to hurt so I'm going to vote for it.

The Chair:

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	
AYES 7	NOES 1

(MR. MILLIONES VOTING NO)

(MR. WAGNER ABSTAINING)

And a majority of the votes of Council being in the affirmative, the motion passed finally.

The Chair:

Is there any discussion on the bill itself?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Milliones	

AYES 5

NOES 3

VOTING NO:

Mr. Ferio

Mr. Ricciardi

Michelle Madoff

(MR. WAGNER ABSTAINING)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 205

A Resolution entitled, "Resolution authorizing the Director of the Department of Parks and Recreation to increase fees and charges and reset yearly permit fees at the Schenley Park Golf Course, effective January 1, 1992." (AS AMENDED IN COMMITTEE)

Which was read.

Michelle Madoff:

We've had some calls in our office objecting to the increase in the fees and I haven't had a chance to call the people back but I want to tell them that if we change these fees, according to what we heard when we cross-examined the Administration, was that it isn't going to lower the deficit or raise any additional dollars.

It is obvious that we need to go out and privatize the golf course and obviously there should be some special consideration for those people who have used the golf course all these years. Something should be worked out to give them, as I said, special consideration.

I don't think we accomplish anything by increasing the rates. Could somebody clarify that for me, Mr. O'Connor? Why would you want to

change it when it really doesn't make any difference in the deficit? I just don't want to give the impression that that's going to solve the problem, that we're not going out into the market to look for privatization.

Mr. O'Connor:

First of all, the bill before us originally calls for permits. The seniors, if they choose to play once a week, would get a \$2 discount, but the Administration was proposing no permits at all. They felt that was a problem.

The ad hoc committee that was formed at the golf course, and as you said, Michelle, these are the people that are there every day, came to me and asked me to please save their permits at all costs and they proposed to double the fee.

The other benefit they're getting for paying more is that there are no restrictions. Last year they paid \$100 but they had to pay for weekend use and after 4:00 use. This way they're paying more up front but they have no restrictions, so they can play any time. So, they came to me with this request. And the income that this will bring in will match what the Administration had proposed without the permits.

Michelle Madoff:

But we did ask the question, remember? Will this change the bottom line and they said no, it would not.

Mr. O'Connor:

It will change the bottom line from last year. The budget will be the same.

Michelle Madoff:

Will the deficit on the Schenley Park Golf

Course be less than it is now? Yes or no.

Mr. O'Connor:

From last year? From last year it will lower the bottom line by \$48,000, from last year.

Michelle Madoff:

So, you're saying until we can get it privatized or until whatever is going to happen?

Mr. O'Connor:

This is bringing in more money from last year.

Michelle Madoff:

I just want to be sure that everybody understands, if anybody is listening to this, and I'm sure the people who have concerns know we're voting on it today, that we have to go to privatization. We don't want to give the wrong impression and, since you weren't here in the last number of years, this is not the first time we've changed rates. This is not the first time they've come and said, "We're going to take a little heavier hit but let us keep our private club." We just can't do that anymore. The City of Pittsburgh taxpayers can't afford it. We have to go to privatization.

Mr. Cohen:

I support Councilman Onorato's amendments. He put together a committee —

Mr. Onorato:

Thanks for the credit, Councilman.

Mr. Cohen:

My apologies. I support Councilman

O'Connor's amendments here. He put together this committee which include the people who really golf up there.

It isn't an increase in fees. What he did was enable seasonal permits to continue as a transition measure for Schenley Park Golf Course. I think it makes a lot of sense to keep those seasonal permits there and I hope that Councilman Onorato supports this also. Thank you.

Mr. Ferlo:

Mr. President and Members of Council, I support the amendments offered by Mr. O'Connor because I think he has made some persuasive arguments in the last Committee Session.

In principle, though, I think in the future I do support the need always for a public hearing process when there are fee increases be it swimming pools or parking permits or what have you. In principle, I think in the future we need to be concerned about the public hearing process. But I am going to vote in favor of this legislation, as amended.

Secondly, on the issue of privatization, which is not a part of this bill. We authorized in the budget the Administration to issue a request for proposal. We have not yet debated or voted on the issue of actual privatization. We're moving the process along with the request for proposal that the Administration, to their credit, has initiated. But I haven't yet voted as a Councilmember to sign on the dotted line the entering into contract yet. That's still a second debate and dialogue with a public hearing that we need to have. And I think your point is well taken about what the dynamics of that agreement needs to be, including the issue of the driving range. I once called it a shooting range, but it's a driving range.

Michelle Madoff:

I'm afraid we're sending the wrong message. If we're going to be going out, and my understanding that we were told by the Administration that yes, they were going to look at privatization. They said so at the table and it's a matter of public record.

If we're going to do that and we start playing around with the rates and making new arrangements, and it has to be subject to, and I should offer a friendly amendment, subject to if it goes private we don't discourage anybody from wanting to take over the golf course because they're locked into another arrangement which, incidentally, as you gentlemen have said, the people who know best are those who work there. They know best what they want to keep that as a private club. They've come to us over and over again with their own private agenda. What it has done is just delay the inevitable.

Sure, they're saying they'll pay more because they know that the zero hour has come and I don't want to send out the wrong message so that nobody comes forward and says, yes, I'd like to get involved in privatization, because we've locked ourselves into an agreement. I have some concerns about that. I think we have to perhaps add a rider that says, "until such time" and "not to discourage" or somehow get the --

Mr. O'Connor:

Michelle, if you look at Section 2 of this introduction, if it goes private before August 1st, then there will be rebates. After that, there will not be any. But the PAFs are sent out now and they are looking for privatization. I think there's a tour of the course on March 11th for those who are interested.

Michelle Madoff:

I don't know, Bob, that it should be rebates. It should say that all bets are off because somebody is coming in to buy. If you were coming in to buy and start a restaurant there, you wouldn't want to be curtailed and maybe not want to buy because there's been a commitment made already.

Mr. O'Connor:

It it goes private tomorrow, the people deserve to get their money back.

Michelle Madoff:

Sure.

Mr. O'Connor:

We put that in there to secure their money.

The Chair:

There's nothing that prevents privatization from taking place.

Michelle Madoff:

I'm not sure about that.

Mr. Ferlo:

Mr. Ferlo, I think we need to clear this matter up. Council authorized a request for proposal. We haven't yet voted on the issue of whether or not we want to privatize. That's still something that the Administration will come back to with a vote by Council. We have to authorize that resolution. I've already stated that I'm inclined to vote for such a proposal with certain provisions.

Mr. O'Connor's bill dealt with that issue by ensuring that, and I think we have to recognize the RFP process is going to be a several month process by the Administration working with any private entrepreneurs.

So, I don't see that there's any problem with the August 1st requirement. The bill states that if something happens, which is not going to happen -- By the time Council has a public hearing and everything else, it is not going to happen by August 1st; maybe late Fall at best. There's a provision and Mr. O'Connor's bill addresses the issue.

The Chair:

I'd like my comments brought forward on Bill No. 205.

(REMARKS ON FOLLOWING PAGES)

(MR. WAGNER'S COMMENTS ON BILL NO. 205-Wednesday, 2/26/92)

Mr. Wagner:

Going back five years with Parks & Recreation, I have strongly recommended that they pursue an inner-city golf driving range as a profit making venture within the Parks and Recreation Department. Again I am suggesting that be done through this request for proposals and to take a good, hard look at Schenley Golf Course as a location for that to happen. I am saying that because -- and I will first state that I have tried to analyze this situation for several years, and as all of you can see, there are Council resolutions to back-up the pursuit of this to the former director, Brown, back in 1987, follow-up letters in 1988. And, quite frankly, the former director did almost nothing in regard to Council's request.

I will state that occasionally I golf. I am a terrible golfer, and I am the kind of person that needs a golf driving range, which is a practice location for golfing. There is none within eight miles of the City of Pittsburgh. It is the most profitable golf investment that can be made. It could provide us with an excellent opportunity to raise funds, not only that we could put back into this golf course, but also the restoration of Schenley Park in general. So therefore, Director, what I am strongly recommending is that we aggressively pursue this idea. The previous director, for whatever reasons, dropped the ball and never pursued it. But I can give you article after article that if you have 30 acres of land available, of which I am sure we do at Schenley, we can make a very profitable operation for the City of Pittsburgh.

Just to give you a quick example, if you go to a golf driving range, it costs \$5.00 to hit 10 golf balls. What we are suggesting here in this legislation -- and that takes a half hour -- is to pay \$8.00, \$9.00 or \$10.00 for someone to play 18 holes of golf, which the average time is four and a half hours. Now, in that four and a half hours you can make \$45.00, versus \$8.00 or \$9.00. Not only that, you can have 50 people doing it simultaneously with a tremendous turn-over rate, and you can not only do it during the daytime, the most frequent time is during the evening. We have a tremendous market here in the City of Pittsburgh and surrounding municipalities because of our centralized location.

So again, I am asking all of you to aggressively pursue this in terms of looking at Schenley Golf Course. I don't know if that is the ideal location, but I know that there is land available in Schenley Park, possibly with a golf course, possibly a 9 hole golf course enhanced or a better course in

comparison to what is there today, along with a driving range. Or maybe some other location other than Schenley Park, I don't know, but I am asking you as the new Director and Assistant Director to please aggressively pursue this idea.

Mr. Young:

May I respond? Your concern has not gone on deaf ears. We did have a review of a driving range. However, in the area of the golf course, it is very difficult to find the 25 or so acres really that is needed for a driving range. We have looked, though, at the possibility of a practice range, which would be a somewhat shorter distance.

However, we do agree with you that that is a money making venture and if we can find some other site that we have access to, perhaps another site -- but we agree with you -- in close to the city where city residents could go there, would be possibly a money maker. We will pursue it.

Mr. Wagner:

How about if we tour Schenley together?

Mr. Young:

We can do that.

(End of remarks)

(Transcribed by Helen L. Kriebel)

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Mr. Milliones	Mr. Wagner
	(Pres't)

AYES 8 NOES none

(MICHELLE MADOFF ABSTAINING)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Onorato presented

Bill No. 407

Report of the Committee on Public Safety for February 26, 1992 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 55

A Resolution entitled, "Resolution authorizing the Mayor and the Director of Public Safety to create and operate a Firearms Redemption Program." ---**(SPONSORED BY MR. RICCIARDI)**

Which was read.

Also,

Bill No. 56

A Resolution entitled, "Resolution authorizing and directing the City Controller to create a special trust fund to be designated as the Firearms Redemption Trust Fund (FRTF)."
---**(SPONSORED BY MR. RICCIARDI)**

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Ricciardi presented

Bill No. 408

Report of the Committee on Engineering and Construction for February 26, 1992 transmitting

sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 231

A Resolution entitled, "Resolution providing for a Contract or Contracts, or use of existing Contracts in connection with the Various Renovations of Public Buildings; and providing for the purchase of equipment and materials for said projects; and providing for the payment of the cost thereof."

Which was read.

Mr. Ferlo:

Mr. President, I'm voting no on Bill 231. This is \$150,000 for renovation of various public buildings and facilities. We held this bill a couple of times but I'm still not satisfied that part of these dollars will be committed by the Administration to improve the safety factor as it relates to the statue out front of the City County Building. I don't think we have a firm commitment. It's going to come back a year from now and we'll continue to argue about it.

Michelle Madoff:

On Bill 231, I think it's lunacy that people don't know that that's Dick Caliguiri's statue out there. People think it's somebody else. People from out of town want to know who it is. At the very least we can put the name up. Not everybody knew what Dick Caliguiri.

Secondly, if we're worried about the aesthetics, we might be able to put a plexiglas protector, sort of a backdrop in plexiglas, which would keep people from tripping. It would be sort of a fence and it would not obstruct or in any

way damage the statue.

But somebody ought to look at it and I agree with my colleague that it's too dangerous and if we vote on it now, that will never be addressed. So, I'm going to vote no on that bill.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Onorato
Mr. Darkins	Mr. Ricciardi
Mr. Milliones	Mr. Wagner
Mr. O'Connor	(Pres't)

AYES 7

NOES 2

(MR. FERLO AND MICHELLE MADOFF VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 234

A Resolution entitled, "Resolution providing for a Contract or Contracts, or use of existing Contracts, for the Installation of Traffic Signal Equipment at Various Intersections; and providing for the payment of the cost thereof."

Which was read.

Mr. Ferlo:

On Bill 234, this Administration following a very important public hearing over a year ago made commitments regarding the audible traffic signals at Centre and Craig. I'm voting no on this bill because, once again, similar in fashion to Bill 231, we're going to approve the bill, nothing is going to happen, lip service is being paid, and I don't think we should approve it.

Mr. Cohen:

Mr. President, I want my comments brought forward on Bill 234, and I will be voting for Bill 234 today.

(REMARKS ON FOLLOWING PAGES)

(MR. COHEN'S REMARKS ON BILL No. 234-Wednesday, 2/26/92)

Mr. Cohen:

Second for discussion, please. Director, I have great respect for you, I enjoy working with you very much, you know that.

I have a problem with this. I appreciate you calling my office yesterday with regard to audible traffic signals. I don't want to get into a long discussion, I know this is the end of the meeting, but at the public hearing held on June 26, a commitment was made to complete the Centre and Craig intersection in October of 1991, and the Forbes and Craig intersection in April of 1992. I think I am okay on Forbes and Craig, because you called yesterday and said the construction of that will actually begin in midsummer. Let's just focus on Centre and Craig.

I don't understand why we have added the acquisition of property at Centre and Craig to the traffic signal project. I don't think they necessarily have to be linked. Why are you linking them?

Mr. Sciulli:

The conduit that will service the audible signals, part of it is under ground, and when we make the changes at the intersection -- in effect, I could do three corners, but it wouldn't be wired up and wouldn't be operational until I get that fourth corner, because they all work in conjunction with each other, and I can't do that until we acquire that property. I can't start the construction.

(Deleted text.)

Mr. Cohen:

Sterling Land Development, my understanding is, has put in the traffic signals at Bayard and Craig. We are okay on that.

Mr. Sciulli:

It is the same problem in terms of the acquisition. Again, it has to do with the conduit. Now I am not familiar with that particular corner, but I am told by our staff that we have to have the conduit under ground to service it, and without acquiring that property, we can't do the work.

Now, we will have an appraisal from one of the local

realtors, and I remember signing a letter notifying them that they are to proceed with the appraisal and the appraisal is underway. We also have two proposals from contractors who have already initiated a cost of what they think it will cost, people that are already under contract with us. But I can't go ahead with the final work until I acquire that property.

The other part of it is, I believe it is on this particular intersection, there was some concern about the turning radius, but I don't have that in my notes. But I noticed after you brought this up last week it was the conduit that seemed to be the hold-up right now.

Mr. Cohen:

I think it is the turning radius. I would like to you talk about this with your staff and try to separate that problem out. What they are trying to do down there is add a whole new project to this, and therefore, it delays the audible traffic signals.

I got a call just this morning from blind person who asked about this particular intersection. I don't want to hold up this bill, I know you need the money for traffic signals in general, but I want to see the installation of that audible traffic signal at Centre and Craig. I don't see the reason for any delay on this.

Mr. Sciulli:

I would certainly agree with turning radius, seeing what we could do to expedite that. If it is a matter of the conduit being as I mentioned earlier, then I really will be in a bind to get the project moving on a property we don't own.

Mr. Cohen:

I will stick with you on the conduit issue, but if they want to expand the turning radius for buses and put a whole new project in there, let's separate that out. Do I have your agreement on that?

Mr. Sciulli:

Yes.

(End of remarks)

(Transcribed by Helen L. Kriebel)

Mr. Cohen:

I appreciate Councilman Ferlo's remarks, but I've worked closely with the Department of Engineering and Construction on this. We have obtained commitments from Director Sciulli. The major one that I wanted was that they would not slow down the audible traffic signal at Centre and Craig in order to acquire new property so that we could have a wider bus radius at that corner.

He has assured me that they are going to go on two separate tracks with those, so I will vote for this bill but, at the same time, keep some strong oversight to make sure that the rest of those audible traffic signals get in.

They have moved forward on a couple of those. The one at Bayard and Craig is in and the one at Baum and Craig is moving forward pretty well.

So, I think they've made progress. We just have to make sure they continue to.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Michelle Madoff	Mr. Ricciardi
Mr. Milliones	Mr. Wagner
	(Pres't)

AYES 8

NOES 1

(MR. FERLO VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 236

A Resolution entitled, "Resolution providing for a Contract or Contracts, or use of existing Contracts, and providing for the purchase of equipment and materials in connection with Major Repairs and Emergencies to Park Facilities; and providing for the payment of the costs thereof."

Which was read.

Mr. Onorato:

Mr. President, discussion on Bill No. 236. As you may recall, I held the bill two weeks ago regarding the Watson Cabin in Riverview. I would like to state that Director Sciulli did send the letter that I requested and the cabin has been removed from the demolition list.

I would also like my remarks brought forward on this bill. Thank you.

(REMARKS ON FOLLOWING PAGE)

(MR. ONORATO'S COMMENTS ON BILL NO. 236-Wednesday, 2/26/92)

Mr. Onorato:

Mr. Chair, I would like to state the conversation I had with both directors and with Mr. Mistick regarding this bill. I held this bill last week regarding Watson Cabin in Riverview Park. I was concerned because it was on a demolition list and scheduled to come down probably within this year. After discussion with both directors and Mr. Mistick, I was assured that we could remove the Watson Cabin from the demolition list.

Before I push the bill forward, I would like to ask Director Sciulli if he could provide me with a letter confirming our conversation about Tuesday, that the Watson Cabin would be removed from the demolition list. And I would also like to ask Director Young if he could provide Council with last year's appropriation for this particular item, purchase equipment and repairs and emergency, and how it was spent. I would like to have that by Tuesday.

(End of remarks)

(Transcribed by Helen L. Kriebel)

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferio	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Millions	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 223

A Resolution entitled, "Resolution providing for an Agreement or Agreements, or use of existing Agreements, and/or Contract or Contracts, or use of existing Contracts, and providing for the purchase of equipment and materials in connection with the Overlook Improvements; and providing for the payment of the costs thereof."

Which was read.

Michelle Madoff:

On Bill 223, I'd like my comments brought forward.

(REMARKS ON FOLLOWING PAGES)

(MICHELLE MADOFF'S REMARKS ON BILL NO. 223-Wednesday, 2/26/92)

Michelle Madoff:

As you know, I held the bill with the idea that I came up with ten years ago that we try to get dollars to privately support the overlooks. As I pointed out -- maybe it would be a good idea, would you supply us, Mr. Young, with the names of the overlooks and who they honor? They are former Councilmembers; I think the first African American is in the first overlook.

They have been allowed to deteriorate. We have had to put lots of money into them. Mr. Sciulli just gave me a number that we both agree is probably not very accurate; he is going to go back and see if it came out of another account.

The Chair:

What are your questions?

Michelle Madoff:

I am bringing a timer to this Council, and I am going to time it to show there is discrimination at this table.

The Chair:

What are your questions?

Michelle Madoff:

To continue with my questions, can you find someone to go out -- I asked Louise Brown previously -- to go out and talk to the individual corporations in this community and find some sponsors who will put a plaque up with their names saying, "Maintained by ALCOA, USX," whatever, and at least put the name of the person you are honoring on the overlook and see if we can get someone to pick up that tax dollar? Would you be able to find somebody? Do you think you might be able to do it out of your operation?

Mr. Young:

What you are suggesting is that we try to find some corporation to underwrite the expense out of the --

Michelle Madoff:

Maintenance; "Maintained by ALCOA."

Mr. Young:

You say put up a plaque. Are you saying we would get money from them, that they would give to the city?

Michelle Madoff:

They will get credit, because there will be a sign. Also it might be a good time to incorporate -- I believe it is Jack's idea or Mr. Ricciardi's, I am not sure -- to put an observatory on there, coins for people to look at the city.

Mr. Young:

We can send some letters out to the Chamber of Commerce, Allegheny Conference, to see if there is some support.

(End of remarks)

(Transcribed by Helen L. Kriebel)

Michelle Madoff:

Somebody was writing a letter and we talked to Alex Sciulli about doing something about getting the private sector to put plaques up to save the taxpayers some money and they can take credit for maintaining the overlooks.

I asked that we find out under what names they are. Nobody knows who the overlooks are named after and that's why one of the previous Council Presidents said, "Do you know that this is named after a Councilmember?" To this day, it's been 14 years and I still don't know who it's named after.

Was that taken care of? I'm not sure. Was Alex taking care of that or are we going to do it from Council?

The Chair:

Mr. Perry, has there been any follow up?

Mr. Perry:

No. I haven't heard anything.

Michelle Madoff:

Mr. Perry, would you do me a favor? Would you please write to I guess Engineering and Construction and the Administration, both. They may know, somebody may know who they were named after.

That gets back to, again, pulling my bill on, and I think I did ask you, a grants person. Pull that. We're going to re-introduce that because perhaps we could raise some funds. Maybe this is an enlightened Council.

Mr. Perry:

The overlooks are named after former

Councilmembers Paul Jones, Patrick Fagen and Tom Gallagher.

Michelle Madoff:

Fagen lives in my building, so I guess that's worthwhile, and I don't know the other two.

But I think the important thing is that we need a plaque to say who they were named after and that they are properly maintained. And I think that the private sector can take it as a tax write-off and we need to get a grants person and this should be something that they would look at. I just don't want to let it sit there.

Alex Sciulli brought out a very important point. He said that he's the wrong department. He does the work; he doesn't go out and raise the money and get the private sector dollars and that should go off to the Administration and perhaps my comments should be sent off to them.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Mr. Millions	Mr. Wagner
	(Pres't)

AYES 8

NOES none

(MICHELLE MADOFF ABSTAINING)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

MOTIONS AND RESOLUTIONS

Mr. Cohen:

Mr. President, I'd like, if I could, to give Council an update on the Childhood Lead Policy Commission that was formed last year. If you recall, City Council formed the Childhood Lead Policy Commission upon the initiative of former Councilman Baldy Regan.

At that post agenda that we had, we were provided with studies and materials which showed that relatively low levels of lead ingested by children could lead to serious deficiencies in their mental and their physical development, including learning disabilities and physical illnesses.

Lead is mostly contained in paint on the walls of older homes, but also there are some remaining water coolers in schools which are either lead-lined or have lead pipes.

At Mr. Regan's request, the Childhood Lead Policy Commission was established to combat the policy of lead poisoning in Pittsburgh and to attempt to create a pilot project which could be used as a national model.

The Commission was formed including government representatives, representatives from the County Health Department, health experts, foundation representatives and representatives from Pittsburgh schools. Councilman Regan put me on the Commission because of my interest in the field.

I'm happy to report that a great deal of progress has been made. The Commission has been broken down into four sub-committees. I'll

just go through them very briefly.

The Abatement Sub-Committee which is developing a program to decontaminate homes with lead on their walls, particularly in low-income areas of the City.

The Legislation Sub-Committee which is working to develop legislation which could include things such as mandatory screening of children, mandatory inspection of homes upon real estate transfers, Housing Code amendments for the Bureau of Building Inspection, and perhaps stricter Housing Authority regulations, lead inspection programs under certain circumstances, and licensing a professional de-leading contractor.

There's also a Public Education Sub-Committee which was formed to educate City residents on the dangers of childhood lead poisoning.

Also, there's a Resources Sub-Committee to determine how we're going to find the money to fund all of the above. But, we have very positive early signs from foundations and from corporations on the funding.

Several meetings have taken place, including one with the United States Center For Disease Control, and I think perhaps the biggest step forward for this Commission was the involvement of the Jewish Health Care Foundation. When they found out about the formation of our Commission, Karen Feinstein, the President, called me to tell me that they were working on the same issue. So, we really have merged forces and they have done a terrific job.

Dr. Mark Richards, who is the point person at the Jewish Health Care Foundation on the lead issue, is heading up a working group which is working closely with these sub-committees to develop a set of options for the

Commission and for Council.

The final piece of this is the Administrator for the Commission. If you recall, Council set aside \$10,000 to hire an Administrator for the Commission. The Council selected Jim Rooney. He was the key person who did a great deal of work on this subject in Councilman Regan's Office.

Because the amount of work that this individual would perform is substantial, I'm happy to announce that the Jewish Health Care Foundation nearly matched this amount with a check for \$8,000 and I introduced a bill today to create a Childhood Lead Poisoning Trust Fund to put that money in.

So, Mr. Rooney is working with Dr. Richards and the sub-committees and drafting a report of options for City Council and for the Commission. The first draft of the report will be presented to the Planning Group on March 20th and I'd like to invite everybody to attend if they can. It's at Center City Tower at 1:30 p.m. on March 20th. There we'll meet to revise and review the report. Councilman Onorato has expressed a great deal of interest in this project and I know that he will be very involved. I hope that everybody can attend and a final report will be presented to Council at the end of March. Thank you.

Mr. Onorato:

Mr. President, I just want to add a few comments and state that my predecessor, Councilman Regan, this was an excellent issue, especially since it affects a lot of neighborhoods in the district that I represent.

I want it to be known that I will continue with the effort. I have talked with Councilman Cohen several times and with Mr. Rooney. I'm looking forward to hopefully becoming part of

the Committee and seeing the results affecting not just my district but probably three or four districts in the City.

I think it's a good cause and I just want it to be known that we are moving forward and I'm glad to see that Mr. Cohen continued and that nothing has stopped in this process.

Mr. Ferlo:

Mr. President, on two unrelated issues, very briefly. I'd like to make a motion that we send a letter to the Administration asking them specifically by what authority they've created an additional Commander's position.

I don't want to get into a lengthy debate about the individual since he's a wonderful person, but I do question the wisdom, not so much from the point of view of the money as the point of view of the need for a Commander.

I'm all for the position of another Commander if it means creating a new police zone, which I think is badly needed. But, suffice it to say, I'm not pleased with what I had heard in the last couple of days through the media about this position.

But I'm specifically asking that a letter be sent, that we ask specifically the issue of justification of the position and by what authority.

I'd like to make that in the form of a motion that we send a letter to the Administration asking for clarification on the justification for the creation of the Commander's position and by what authority relative to the budget.

Mr. Onorato seconded the motion.

WHICH MOTION PREVAILED.

Mr. Ferlo:

Secondly, in relation to an article that appeared in the Post Gazette this morning, I would like to make a motion that we formally send a letter to the Mayor and to Chief Kennedy, the Chief of the EMS Bureau, asking them to rescind the order immediately regarding the transportation of residents to various hospitals outside the City until such time that they review the policy with City Council.

My reasoning is as follows: It was unclear from the article but I'll pick an example. A lot of people in my district, Lawrenceville, have a lot of family and physician relationships with St. Margaret's Hospital. It's true that that is technically in the City but I don't know that there's much difference between people in certain parts of the City going what is the equivalent of a few blocks to a hospital outside the City as compared to that example of Lawrenceville going over to St. Margaret's.

This Council has been very supportive of the EMS Bureau and the Administration. We have voted consistently. We voted to improve the quality of care, reclassifying the care that we give so that we can receive a higher rate of reimbursement from authorities at the State and third-party reimbursement. We voted to go after those people who live outside the City, receive the services but fail to pay or provide follow-up on third-party reimbursement. I mean, if you look at the last three years, we voted consistently and our policy has resulted in increasing revenues.

I'm not clear. There may be justification for this move but I think until such time that an explanation is given to Council, I don't think it's justified. And I would ask in the form of a motion that we ask that this policy be rescinded until such time that the matter can be reviewed by Council. There may be some options that we need to look

at. But, if I were a City resident and my particular relationship, especially if I require tertiary care, is outside the City in one of those hospitals, I think there should be equal treatment, unless there's some mitigating reason. But I can't see that it should be revenue.

The Chair:

So, your motion is to rescind the order of the Administration to eliminate taking patients to hospitals outside of the City.

Mr. Ferlo:

Yes. Until such time that they come back to review this issue with City Council. This is the kind of issue that they should have discussed with us during the budget hearings.

Mr. Ricciardi:

Second for discussion. I, at this time, cannot support this motion. I will support a motion asking for additional information and my reasoning is very simple. That is, when an ambulance in EMS service leaves the City of Pittsburgh in order to transport either a City or non-City resident miles outside of the City, that vehicle now is out of service. And we all know with eliminating Medic 13 in the Shadyside area how that has put constraints on our other vehicles south and north of the rivers.

So, I would support a motion asking for additional information, but, again, I couldn't support this because I don't want to see our vehicles out of service for that long of a period.

The Chair:

I can't support it either. This is an anti-City hospital suggestion and I personally think it's the right thing to do. We have the best hospitals in the world in the City of Pittsburgh,

right within our boundary, and if the people in the City don't want to utilize those hospitals, well, maybe they shouldn't be transported by our equipment.

Mr. Cohen:

Mr. President, Councilman Ferlo may consider instead of asking to rescind the motion to ask for information about it and then let's call a post agenda and discuss it. I am not prepared yet to make a decision on this until I have information as to what exactly is going on and what the substance behind the decision was.

Mr. Ferlo:

I have no problem modifying the resolution, but I'm thinking just in terms of process.

There may indeed be justification, as you have suggested, Mr. Wagner. And Mr. Ricciardi raised a good point. But, right now in this period, I think that the onus of the responsibility should be on the Administration to explain to Council their rationale and their reasoning for changing the policy, not vice versa. And I do think, though, that there are people who live in the outer tenacles of our neighborhoods who do have relationships with second or third level physicians at hospitals outside the City, and I'm concerned about the equity issue. That doesn't mean that we don't have the greatest hospitals in the world.

But I think there are a number of issues that need to be looked at, including the revenue. But I'd be glad to modify the motion to ask for the justification, as Mr. Cohen has suggested.

The Chair:

What is the --

Mr. Ferlo:

I believe the concern of Councilmembers is that we ask the Administration to formally communicate to Council as to why they have instituted this policy and what their reasoning is.

The Chair:

And not to rescind the policy?

Mr. Ferlo:

Yes.

Mr. Ricciardi seconded the motion.

WHICH MOTION PREVAILED.

Mr. Darkins:

On another matter, Mr. President. First of all, I would like to commend Mayor Sophie Masloff for last week making her presentation to the Ministers in a certain area throughout the City in regards to the racial problems that we are having.

I feel strongly that if the Ministers have presented their message, I don't think that we would have had a repercussion on this same subject.

So, I want to take it a step further. I want to extend to leaders everywhere, not just Lawrenceville, Stanton Heights, but leaders, because the Ministers' message didn't get to them. So, I want to extend to them that on this coming Sunday at 11:00 we are having a service called "Unity". To unify. And I'd like to have all leaders of groups, organizations. I don't care of the pigmentation of their skin, their nationality, because with God we're all one.

So, I just want to extend that invitation.

Secondly, I want to remind my colleagues about the post agenda meeting following this session pertaining to the Highland Building.

Mr. O'Connor:

I join with the Bishop. I think it's very appropriate that this Sunday we all get together. And the Mayor, I think, did a good job in bringing the groups together to stop this thing before it gets out of hand.

I'd like one last issue on the golf, because Michelle brought up a good point. All the golfers seem to understand this bill, but the non-golfers are having some problems with it, especially some of the seniors who are friends of mine.

They take it as a doubling of the cost, but it is not really an increase. The way it was last year, they had to pay \$100 and they had to pay extra if they played after 4:00 or on weekends. With this bill, if they played six weekends, they

would be ahead of the game, and this is what they came to me and requested. So, it's really the senior golfers who wanted this and for those of us who don't golf, like myself, it took a little while to understand. It is, I think, a benefit.

Also, the Committee up there has gone above and beyond. They have approached hospitals about leagues, youth groups, high school and college, and we're looking at schools to have tournaments. So, they want to make it a more viable place and not just a social place for only a few. We want to make it a viable place for this summer and any future summers we can.

Michelle Madoff moved to approve the Minutes of Tuesday, February 11, 1992.

Mr. Cohen seconded the motion.

Which motion prevailed.

And on the motion of **Mr. Cohen**

Council adjourned.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXVI

Tuesday, March 10, 1992

No. 10

Municipal Record

ONE-HUNDRED TWENTY-SEVENTH COUNCIL

JACK WAGNER President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER.... Asst. City Clerk

Pittsburgh, PA
Tuesday, March 10, 1992

PRESENT:

MR. COHEN	MR. O'CONNOR
MR. DARKINS	MR. ONORATO
MR. FERLO	MR. RICCIARDI
MICHELLE MADOFF	MR. WAGNER
MR. MILLIONES	(Pres't)

The Meeting was opened by the recitation of the Pledge of Allegiance to the Flag of the United States of America, and a moment of silent prayer for peace throughout the world.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. O'Connor presents

No. 440 WHEREAS, true heroes should not go unsung but, rather, they should be celebrated and remembered in order to pass on to others their rich legacy and to set a standard to which humankind can aspire; and

WHEREAS, Frank C. Emanuele, Jr. was, indeed, a hero, excelling in sports and, more importantly, excelling as a human being dedicated to the premise that the more you give of yourself, the richer the rewards this life has to offer; and

WHEREAS, Frank C. Emanuel, Jr.'s accomplishments on the playing field were many: a high school stand out, lettering in four sports at Central Catholic High School; a star linebacker at Westminster College, leading his team to two consecutive NAIA Division II Championships; a Division II All American; and Most Valuable Defensive Player of the 1977 NAIA Division II Championship game, just to name a few; and

WHEREAS, Frank C. Emanuele Jr.'s accomplishments off the playing field rank even higher. His positive outlook on life and his willingness to become involved with his community marked him as a natural leader and role model for the youth of this City. Moreover, he was able to accomplish this despite having to battle asthma all of his life and defeating cancer in

1991. Nothing could stop Frank from achieving his goals or giving of himself for the betterment of others. His death in June, 1991, left a void in our community. Hopefully, his life will inspire others to emulate this uncommon man; and

WHEREAS, on March 14, 1992, the Pittsburgh Chapter of the National Italian American Sports Hall of Fame will hold its Sixth Annual Awards Banquet and posthumously induct Frank C. Emanuele, Jr. into the Italian American Sports Hall of Fame in recognition of his achievements in sports and contributions to the community.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh acknowledges and joins in with the Italian American community in honoring Frank C. Emanuele, Jr. and hopes that his love of humankind and devotion to his community is a legacy that will endure and flourish; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh proclaims Saturday, March 14, 1992, as "Frank C. Emanuele Day" in the City of Pittsburgh.

Mr. O'Connor moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. O'Connor:

I realize that this is a very proud moment and a very sad week for the Emanuele family. He was a rare individual and this is a rare family and I know we all miss him. But I'm very proud to be a part of this and I'm honored as a Councilman to be able to recognize such special as he.

We're happy to try to keep his memory alive in Pittsburgh by doing things like this and I

look forward to Saturday to be his presentation into the Sports Hall of Fame.

Speaker:

The Emanuele family would like to thank City Council and Mr. O'Connor for honoring Frankie today. He was a caring, very loving young man whose day to day giving of himself was 150 percent in everything he did, and was definitely an inspiration for every young man who tries to do things when they are in a situation where they feel they can't. He accomplished a lot of things in his lifetime when people said that they wouldn't be accomplished.

He was the kind of person who gave his life for his God, for his family, for his school, his friends, and he looks down on us today and hopefully every day and he'll be within our memory forever. Thank you.

The Chair:

Thank you.

Mr. Onorato:

Would Monica Wehrheim please come forward with her class?

Mr. Onorato presents

No. 441 WHEREAS, Monica A. Wehrheim, 37, was born and raised in the Perry Hill Top area and is now a resident of Observatory Hill, with her husband, William, and her two children, Lizzie and Jake, and has distinguished herself as an educator in the North Side area; and

WHEREAS, Monica A. Wehrheim, a teacher at Nativity of Our Lord School on the North Side was nominated for and will be awarded the National Catholic Educational

Association's Distinguished Teacher Award at their conference in St. Louis, MO in April; and

WHEREAS, Monica A. Wehrheim has been a finalist for the past two years in KDKA-TV's "Thanks To Teachers Campaign" for her partnership activities; and

WHEREAS, the adaptability of Mrs. Wehrheim and her willingness to try different types of teaching styles to reach individual students has fostered a cooperative learning environment where success can be reached through taking different paths, instead of a single rigid one; and

WHEREAS, Monica A. Wehrheim has used her abilities to develop the self esteem, character, and citizenship of the youth of the North Side through her dedication to an educational philosophy of searching out and using as many resources as are necessary to enhance academic and personal achievement; and

WHEREAS, Monica A. Wehrheim has been described by her superiors as flexible, dynamic, hard working and innovative.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh recognizes Monica A. Wehrheim for her commitment to her students and for her outstanding contributions to the development of youth in the North Side. We congratulate her on her achievements.

Mr. Onorato moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Onorato:

I take great pleasure in recognizing Mrs. Wehrheim because today you hear a lot of complaints about our educational system in America and this is just one example of new ways and new thinking and the success stories that we do have. These are the stories that you don't hear and I think it's very important that we tell the people and recognize a good education when we see it.

Monica, would you like to say a few words?

Mrs. Wehrheim:

I would like to thank Mr. Onorato and all of City Council for the honor of this recognition.

Having been born and raised on Pittsburgh's North Side and received all my education through Pittsburgh's Catholic School System, I feel very fortunate that I am now able to teach in the neighborhood in which I was raised, Nativity School, and give back to the community some of what I received from that education.

I think it is important to recognize that if it weren't for the excellence of the Pittsburgh School System, particularly Pittsburgh's Catholic School System, I would not be receiving the award that I am receiving today and the other awards that I have received. I feel confident in saying that our school system today is just as good, if not better, than it was at the time when I went to school.

I'm not the only teacher that deserves this recognition. There are teachers all over the City of Pittsburgh who also deserve to be recognized for their excellence in education.

Thank you.

Mr. Cohen presented

No. 415 Resolution approving a Conditional Use Exception under Section 993.01(a)A(9) of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993, as amended, to Duquesne University for authorization to construct a 700-car, six-level, open-type parking garage located at 1000 Forbes Avenue, on property zoned "I-C" Institutional-Civic District, 1st Ward. (Council District No. 6)

Which was read and referred to the Committee on Planning, Housing and Development.

Mr. Cohen moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. O'Connor seconded the motion.

Which motion prevailed.

Also,

No. 416 Resolution authorizing the submission of an application for federal assistance, a program description and certain certifications and the execution of a grant agreement with the U.S. Department of Housing and Urban Development ("HUD") for a grant in the amount of \$4,375,000 under the HOME Investment Partnerships ("HOME") Program.

Also,

No. 417 Resolution authorizing a Cooperation Agreement with the URA of Pittsburgh designating URA as the City's agent for implementation of the Federal Home Investment Partnerships Program, providing for the disbursement of funds directly to URA and compliance by URA with federal HOME

Program requirements.

Also,

No. 418 Resolution authorizing a Cooperation Agreement with the URA of Pittsburgh providing for the demolition by the City of Pittsburgh of certain properties in the Manchester area and providing for the transfer by URA to the City of an amount not to exceed \$62,725.00 to be deposited to the following account: Demolition Trust Fund. (Council District No. 6)

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Ferlo presented

No. 419 Resolution providing for a contract(s) or to exercise against existing contracts for the purchase of roof top air conditioning units for the Public Safety Building in an amount not to exceed \$32,100.00, chargeable to and payable from Capital Account 3-30-01-0003-91.

Also,

No. 420 Resolution authorizing the Mayor and the Director of the Department of General Services, on behalf of the City of Pittsburgh, to enter into a lease agreement or agreements, in form approved by the City Solicitor, of a 1972 Mack (PE-X-32) Pumper to the Borough of Tarentum, the terms and conditions of which lease shall include, but shall not be limited to: consideration of One Dollar (\$1.00) per annum; the right of the City to terminate the lease upon thirty (30) days prior written notice if the City shall determine that its public health, safety and financial requirements require use of the Pumper; full and complete maintenance of the Pumper by the Borough,

which policy of insurance shall name the City of Pittsburgh as an additional insured.

Which were read and referred to the Committee on General Services.

Mr. Milliones presented

No. 421 Resolution providing for the filing of an application with the U.S. Department of Justice for a grant in an amount not to exceed \$1.5 million in "Operation Weed and Seed" funds for integrating law enforcement activities and social service programs in targeted high-crime neighborhoods; providing for the execution of a grant contracts; creating a special trust fund in connection with the project; the deposit of the funds in a bank account and providing for the payment of expenses within categories.

Which was read and referred to the Committee on Finance.

Mr. Milliones moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Onorato seconded the motion.

Which motion prevailed.

Also,

No. 422 Resolution providing for the issuance of a warrant in the sum of \$6,250.00 to Roger Weaver and James Villanova, Esquire, Suite 1111, Oliver Building, Pittsburgh, PA 15222 in full and final settlement of an alleged accident involving a City police vehicle at or near the intersection of Forbes Avenue and Cherry Way on or about August 8, 1987, payable from Code Account No. 46, Judgments.

Also,

No. 423 Resolution providing for the issuance of a \$963.00 warrant in favor of Thomas R. and Maryann P. Moore in settlement of claim for sidewalk damage at 5814 Wayne Road, payable from Code Account No. 46, Judgments.

Also,

No. 424 Resolution providing for the issuance of a warrant in the sum of \$883.30 to Kenneth Muschar c/o Shirley Novak, Suite 706 Lawyers Building, 428 Forbes Avenue, Pittsburgh, PA 15219 in full and final settlement of an alleged accident involving a City Refuse Truck, ESR-2, and a 1986 Dodge van belonging to Kenneth Muschar at 64 Rostock Street in the City of Pittsburgh on or about January 30, 1991, payable from Code Account No. 46, Judgments.

Also,

No. 425 Resolution providing for the issuance of a warrant in favor of General Binding Corp., P.O. Box 93951, Chicago, IL 60673-3951, in the amount of \$1,267.47 in full payment for budget binders for Council's Budget Office for the 1992 Operating and Capital Budgets, chargeable to and payable from Code Account 1001-1, Misc. Services, Supplies, Equipment, etc., City Council. ---**(SPONSORED BY MR. MILLIONES)**

Also,

No. 426 Resolution providing for a contract or contracts, or for the use of existing contracts, to conduct two city-wide fair housing conferences in connection with the Fair Housing Assistance Program of HUD, at a cost not to exceed \$4,000.00, payable from the HUD/FHP Trust Fund, Commission on Human Relations. A full-day seminar, to be held in April 1992 (Fair

Housing Month), will address how the Fair Housing Act has affected and will affect the physically and mentally disabled, including, but not limited to, design and construction requirements in multi-family dwellings; occupancy limited in rental housing and reasonable modification and accommodation in existing dwellings. A second half-day seminar, to be held in July 1992, will demonstrate how the Fair Housing Act's prohibition against violence, coercion and intimidation can be used with other laws to deter and hold liable perpetrators of these acts.

Also,

No. 427 Resolution amending Res. No. 1112, Item F, eff. Dec. 9, 1991, which authorized the sale of a vacant lot, known as 615 McLain Street, 18th Ward, designated as Block 3 N, Lot 151, to Bernard C. Duffy and Lisa A. Duffy, for the sum of \$375.00. The reason for the above amending Resolution is to correct the size of the lot which currently reads: 25 x 74.3 to read 25 x 74.5. (Council District No. 3)

Also,

No. 428 Resolution amending Res. No. 54, Item H, eff. Feb. 10, 1992, which authorized the sale of a vacant lot, known as 4157 Irvine Street, 15th Ward, designated as Block 30 D, Lot 66 (part) to Earl V. Jones & Elizabeth P. Jones, Joint Tenants, for the sum of \$350.00. The reason for the above amending Resolution is to include the phrase Sheriff Sale, June Term, 1908 in the description. (Council District No. 5)

Also,

No. 429 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties, acquired at tax sales in accordance with Act No. 171 of 1984, entitled, "Second Class City Treasurer Sale and

Collection Act", effective December 11, 1984.

Which were severally read and referred to the Committee on Finance.

Mr. Onorato presented

No. 430 Resolution providing for the letting of a contract or contracts or use of existing contracts for the furnishing and delivery of office equipment for the Department of Public Safety, Bureau of Building Inspection, at a cost not to exceed \$12,000.00, chargeable to and payable from Code Account 1478.

Which was read and referred to the Committee on General Services.

Mr. Ricciardi presented

No. 431 Resolution that the Director of Finance, on behalf of the City of Pittsburgh, is hereby authorized and directed to, within ten (10) days of final passage of this resolution, begin a survey of property subject to the City Real Estate Tax in the City of Pittsburgh. The survey shall be conducted in every Ward of the City of Pittsburgh and shall include not less than one percent (1%) of the parcels subject to the City Real Estate Tax. ---**(SPONSORED BY MR. RICCIARDI)**

Which was read and referred to the Committee on Finance.

Also,

No. 432 An Ordinance supplementing the Pittsburgh Code, Title Four - Public Places and Property, Article I - Streets and Sidewalks, Chapter 416 - Obstructions, by adding Subsections c, d, and e to Section 416.03 - Street Encroachments and Major Street Obstructions; Permit Required. ---**(SPONSORED BY MR. RICCIARDI)**

Which was read and referred to the Committee on Public Works.

Mr. Ricciardi moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Cohen seconded the motion.

Which motion prevailed.

Also,

No. 433 Resolution authorizing the issuance of a warrant in favor of the Pugliano Construction Company, Inc. in the amount of \$6,844.38 in payment for utilities paid by Pugliano Construction Company, Inc. providing to the Department of Parks and Recreation, chargeable to and payable from Code Account PZMTF, Pittsburgh Zoo Membership Trust Fund, Department of Parks and Recreation.

Which was read and referred to the Committee on Finance.

UNFINISHED BUSINESS

Michelle Madoff:

I don't know whether my colleagues know, the new colleagues, but I know that you remember that we have a rule that says that anybody that goes on a trip paid for by the City, or any dollars for that matter, federal dollars or a grant to the City and someone takes a trip, that they give us a report of what they learned. The idea is that we go for the benefit of the taxpayer and our knowledge.

Well, there was a trip taken in California by two people, approved by the Budget Office,

and I just learned that that doesn't come to Council anymore. They just handle it through the Budget Office and I'd like that explored.

More importantly, it was an issue that I've been working on. It was an issue on converting our fleet to natural gas as an expert pilot program with the gas company. Gil Lancia and Scott Kunka went to California for a total of \$2,365 and all I want to know is what did they learn because that is something that we've been working on, that we're very concerned with energy. Equitable Gas brought that to me.

I found out quite by accident and I don't think that's the way we should do business. That is old business and we approved it over and over.

Mike, is that correct that we get reports?

Mr. Perry:

We changed that about three years ago, Michelle, by City Ordinance that anybody who wants a report can ask the department for a report. But they're not required to send a report in anymore.

Michelle Madoff:

That must have been a day I was out that that changed that we don't need to give a report anymore.

Did you know that, Mr. Wagner? I assumed we would get a report on anybody who takes a trip, to let us know what happened.

The Chair:

We have to receive notification on a periodic basis of all trips taken.

Michelle Madoff:

Well, I know that my aide went to a workshop on writing and had to write a report on her workshop on writing. It was a little local trip for a few dollars.

This is for several thousand dollars and it's a subject that I'm very concerned about, very interested in, and I don't know that maybe we ought to take that up as an issue. I know that my colleagues have gone on trips and they come back and tell us what they learned. They made no secrets about it.

The Chair:

Mr. Perry, could you please notify General Services that we would like a report on that trip provided to Councilwoman Madoff and remind all City department that they should be notifying Council of all trips that are taken. And if we want to follow up and ask for a report, we can.

Michelle Madoff:

You know, Mr. Wagner and Members of Council, I have never been one, I think Mr. Ferlo has been on the opposite side of my position and we can disagree without being disagreeable, in that there have been too many trips taken. If I have given the wrong person credit for this, correct me. I always felt that knowledge was very important, that it's cost effective, and that if we have a trip it's important that they take it. I don't have a problem with that. But at least we should get some benefit back.

But, now as we're getting into the economy of really tight dollars, when I see trips for \$2,000, and in this case I learned that we are not paying out of our tax dollars, it is coming from Federal dollars, but dollars are dollars. The last time I looked, I paid Federal taxes. At least I'd

like to know what was learned.

I'm not so sure, when I look back at all these trips that are being taken, that maybe we ought not to be taking a very hard look and that maybe I will change my opinion.

The Chair:

We would have to introduce a resolution to change the process. An ordinance to change the process.

Michelle Madoff:

Well, I have to tell you that it was on a day that I wasn't here because I don't know that I would have ever voted for that. I must have been in the hospital.

REPORTS OF COMMITTEES

Mr. Milliones presented

Bill No. 434

Report of the Committee on Finance for March 4, 1992 transmitting one ordinance and sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 307

A Resolution entitled, "Resolution transferring the sum of one thousand (\$1,000.00) dollars from Code Account No. 1001-2 Salaries and Wages as needed, Seventh (7) Council District Member (Index Code 100123) to Code Account Graffiti Trust Fund (Index Code 252411)."

—(SPONSORED BY MR. FERLO)

Which was read.

Mr. Ferlo:

On Bill 307 regarding the Graffiti Trust Fund. This is transferring \$1000 from my staff code account and transferring it into the already established Graffiti Trust Fund. Unfortunately, this bill, originally introduced by Mr. Pollock, was supported by Council at the time but the trust fund was not actually created legally. No monies were transferred into the account and no monies were received from the public.

I would hope that, given the commitment of the Administration now and their recognition of the graffiti problem, the Mayor and her staff have moved to call for voluntary clean up initiative later on, next month. Councilman Cohen has been working in the community on this issue.

I think from time to time, throughout the year, and I'll be talking to Councilman Milliones, the Finance Chair, on this issue, if we can find and reallocate a small amount of money to beef up this Graffiti Trust Fund, I think it would be important because it is an effective tool to be used by Public Safety and the Police in the community. I think we saw that in both cases of Serg and Cesno, the graffiti vandal artists. So, I would ask that from time to time we think about ways to increase this fund.

Secondly, I do want to thank the Highland Park Community Club for a contribution of \$200 to the Graffiti Trust Fund and also the Allegheny Valley Bank in Lawrenceville for a contribution of \$200 to the Trust Fund.

Obviously, we should continue to make the call out there in the community. If individuals or organizations would like to make a contribution for the purposes of offering reward

money to any information leading to the arrest and conviction, they can make a check payable to the City Treasurer, Graffiti Trust Fund, and mail it down to the City County Building, 414 Grant Street, Pittsburgh, PA 15219. I encourage organizations to do that, banks, neighborhood groups, Block Watch committees, individual citizens.

Thank you.

Michelle Madoff:

May I also suggest that either your office or the City Clerk send a letter to the associations who deal with all the buildings, BOMA, the Greater Pittsburgh Builders' Association, the Apartment Association, asking them for a contribution. And asking them to ask their membership, and you'll raise thousands and thousands and thousands of dollars.

Mr. Ferlo:

I'll be sending a letter to Judge Dauer who recently did respond in a letter to the Editor. I think he was partly responding to Councilman Wagner's comments at one of our meetings, which I agreed with the President, that there needs to be proper oversight by the Court when you do actually prosecute somebody and not a slap on the wrist.

But I think as just another avenue for the judicial system, either at the Juvenile Court Master level or the Court of Common Pleas level, when there is somebody apprehended and prosecuted, I think it's very legitimate for that person to pay restitution and maybe make a contribution to the Graffiti Trust Fund also. That's another avenue that we should explore with the court system.

Also,

Bill No. 308

An Ordinance entitled, "An Ordinance supplementing the Pittsburgh Code, Title Four - Public Places and Property, Article VII - City Realty, Chapter 452, Acquisition of City Property, by adding Section 452.02 - Council's Legislative Process for Real Estate Transactions."

---(SPONSORED BY MR. FERLO)
(AS AMENDED IN COMMITTEE)

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 311

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Sedgwick James and Company in the amount not to exceed \$108,333.40 in payment for professional

services rendered the City of Pittsburgh in connection with the Workers Compensation program chargeable to and payable from Code Account No. 44 Workers Compensation, Department of Finance."

Which was read.

Also,

Bill No. 312

A Resolution entitled, "Resolution providing for the issuance of a \$2,461.95 warrant in favor of John B. Moore for automobile damage."

Which was read.

Also,

Bill No. 313

A Resolution entitled, "Resolution providing for the issuance of a \$828.00 warrant in favor of Justin and Florence Johnson in settlement of claim for sidewalk damage."

Which was read.

Also,

Bill No. 314

A Resolution entitled, "Resolution further amending and supplementing Resolution No. 1294 approved 12/20/91, as amended by Resolution No. 67 approved 2/4/92, effective January 1, 1992 entitled: 'Making appropriations to pay the expenses of conducting the Public Business of the City of Pittsburgh and for meeting the debt charges thereof for the fiscal year, beginning January 1, 1992,' by making certain additions and corrections."

---(SPONSORED BY MR. MILLIONES)

Which was read.

Also,

Bill No. 315

A Resolution entitled, "Resolution amending and supplementing Resolution No. 1295 of 1991, approved 12/20/91, and effective January 1, 1992 entitled: 'Resolution fixing the number of officers and employees of the City of Pittsburgh, and the rate of compensation thereof, and setting minimum levels for designated positions,' by making certain additions and corrections."

---(SPONSORED BY MR. MILLIONES)

Which was read.

Michelle Madoff:

On Bill 315. Just a title change from "Senior Citizen Center Director, as needed" to "Senior Program Center Director, as needed". I don't know what this "as needed" or to correct the title is because of our new Department of Aging and the new program that we've introduced and we'll be talking about that, as you know, on Thursday.

I would just like to have that one item deleted until I can have it checked.

The Chair:

You would have to make a motion to amend the bill through deletion.

Michelle Madoff:

I'd like to amend the bill through deletion by deleting that one item until I have the opportunity to check it out.

Mr. Ricciardi seconded the motion.

WHICH MOTION PREVAILED.

Also,

Bill No. 316

A Resolution entitled, "Resolution providing for an Agreement or Agreements with qualified vendors or leasing agents for the purchase, lease and or lease/purchase of software and hardware associated with the Department of Public Safety Parking Enforcement Handheld Ticketing and Management System for a period of three years and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 317

A Resolution entitled, "Resolution providing for an Agreement or Agreements with qualified vendors or leasing agents for the purchase, lease and or lease/purchase of software and hardware associated with the Department of Law Case Management System for a period of three years and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 318

A Resolution entitled, "Resolution providing for an Agreement or Agreements with qualified vendors or leasing agents for the purchase, lease and or lease/purchase of software and hardware associated with the Department of Public Safety Building Inspection Management System for a period of three years and providing for the payment of the cost thereof."

Which was read.

Also,

Bill 320

A Resolution entitled, "Resolution transferring the amount of \$115,725.56 from Code Account SSFSP, (270256), Special Summer Food Service Program Trust Fund to Code Account SPP (254359), Special Parks Programs in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 342

A Resolution entitled, "Resolution authorizing and directing the City Controller to create a special trust fund, to be designated as the Lead Prevention Policy Commission Trust Fund, for the deposit of funds derived from grants and/or donations, and authorizing the use of the funds deposited therein for any and all expenses associated with salaries, supplies, materials and other miscellaneous expenses of the Commission." --(SPONSORED BY MR. COHEN)

Which was read.

The Chair:

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Cohen:

Mr. President, I'd like to move that Bill No. 342 become effective upon the signature of the Mayor.

Mr. Ferlo seconded the motion.

WHICH MOTION PREVAILED.

Mr. Darkins presented

Bill No. 455

Report of the Committee on Public Works for March 4, 1992 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 354

A Resolution entitled, "Resolution authorizing and directing the Director of the Department of Public Works to grant unto Teamsters Local 250, 4127 Brownsville Road, the privilege and license to construct, maintain and use at their own cost and expense, a portion of the right of way of Woodmere Drive in the 28th Ward, 11th Voting

District of the City of Pittsburgh."

Which was read.

Mr. Darkins:

Mr. President, I have an amendment to be made by Councilmen Jim Ferlo, Gene Ricciardi and Duane Darkins.

I move to amend Bill No. 354 by deleting the Teamsters Local 250 and inserting Teamsters Local 636.

Michelle Madoff seconded the motion.

Michelle Madoff:

Discussion. I guess we all got the letters from Kirkpatrick and Lockhart, the representatives, I guess, of the people who don't want to see --

Mr. Ricciardi:

Point of Order, Mr. President. We're having discussion on the amendment for No. 636. I think Michelle has comments but it should be for the bill itself.

Michelle Madoff:

I'm terribly sorry.

The Chair:

All in favor of the amendment?
Opposed?

WHICH MOTION PREVAILED.

Michelle Madoff:

On the bill, and I thank my colleagues for correcting me and making sure I obey the rules. I

hope you all will.

I'm a little concerned about this letter from Kirkpatrick and Lockhart. The assumption is that we're stupid. I'd like to tell Kirkpatrick and Lockhart that we understand the ramifications and the risks involved. We believe that people have a right to picket. They have a right to stand up for what they believe in. In this instance I completely support the Teamsters Union and let's not have this nonsense about the liability and whether its safe or not. We have asked that they go out and they put it in the safest place. I think we ought to get on with it and vote for it today.

Mr. Darkins:

It is my understanding from what Michelle is saying, that if the law firm does feel that we're stupid, maybe we have the same opinion of them.

Michelle Madoff:

Thank you.

Mr. Ferlo:

I don't want to get into the stupid debate, but in the four years that I have been on Council, we've vote for a variety of easements, all sorts, usually tied to the enhancement of a business opportunity. This legislation empowers the Director to enter in an agreement for an easement regarding the specific situation. Nothing in this ordinance implies that we're going to do anything unsafe.

I've been out there physically to look at the situation. It's a very wide street. There's a very wide sidewalk on each side. There's practically no pedestrian traffic; it's all vehicular traffic. And I'm sure with the great minds and designs in Public Works and in Engineering and Construction, I'm sure they can accommodate

this easement request and do it in a safe manner for all the people involved, including any vehicular traffic in the area.

So, nothing we're doing is doing something, or even proposing to do something, that is unsafe.

The Chair:

I'd just like to add one comment on it, if I may.

I was in touch with this company prior to them relocating the workers and asked them if they would reconsider and indicated that low-interest loans may be available and other incentives ☐ stay in the City of Pittsburgh. I know that doesn't relate specifically to this issue, but there wouldn't be an issue in front of us if they would have at least considered. We were ready to roll out the red carpet to keep these workers in Pittsburgh and I wish they would still reconsider doing that today. I think they would find this government to be very cooperative.

Mr. Ferlo:

Since you're raising that issue, I'm going to say this. It's mind-boggling that this company would hire what is literally \$1000 a day law firm, Kirkpatrick and Lockhart, in relation to this situation. I think the money would better be spent to try to come up with a workable solution regarding the conflict with this one particular union.

We're talking about a great product. The overwhelming majority of that product is sold on the floor and shop level at manufacturers' industrial sites which are predominantly unionized. I don't even understand the logic of this company as it relates to running their own business.

Obviously, as you say, Mr. President, if they would cooperate, as you had made the call and others had made calls, we would do anything we could do to try to assist this company. We have done that hundreds of times around this City.

So, I would ask them to please come to their senses, get rid of Kirkpatrick and Lockhart, stop wasting money on that, and come to some resolution.

The Chair:

I would just like them to know that we're very cooperative and we want to be cooperative.

Mr. Cohen:

Mr. President, with respect to the law firm, I think the law firm is merely representing its client. They certainly have a right to do that. I just happen to disagree with them and support the union on this. But they certainly have a right to send a letter and to represent their client, but I think we should be supporting the union and encouraging a level playing field.

Michelle Madoff:

May I make a comment, Mr. President. You know, you said this isn't really the issue, but I'd like to talk about it. Frankly, it is the issue, because I think any information we shed on subjects that are good faith or related to the subjects, that's why we're here in Council, to share information. And I think it's important that the public listening know what has happened. I think you added and contributed something meaningful and I'd like to have that same courtesy extended to me at the Wednesday meetings.

The Chair:

I believe it is. Thank you.

Michelle Madoff:

You don't run the Wednesday meetings. Do you get the message, Boss?

Mr. O'Connor:

Concerning this issue, I support the bill too, but, instead of sending a message that we're supporting either side, maybe if you could send a letter or re-initiate our willingness to do anything we can to support both and maybe bring these people to the table and keep these people in Pittsburgh. I think that's everybody's goal and if you could re-initiate those talks, maybe we could be helpful.

The Chair:

Okay, with Mr. Perry we will construct a letter that will be sent to them. Good idea.

Mr. Milliones:

Mr. Wagner, I would suggest that if we want to keep the company in Pittsburgh, we are not facilitating that process by passing this legislation. That's what we're really interested in. It seems to me that is not in any way encouraging by passing such legislation.

Mr. Ricciardi:

I wasn't going to make any comments; I thought many comments were made. But, since my esteemed colleague, Mr. Milliones, mentioned that, I'd like to follow up.

First of all, I agree with what Mr. O'Connor is saying and I'm aware of those negotiations that you've had, Mr. Wagner, from

the Teamsters. And I think you're to be commended for those negotiations. You did it in the best interest of not only working men and women here in the City, but of all taxpayers in the company, and you did it without making a media splash on it, and I'm aware of all that.

The intent of this bill, though, if I may, colleagues and especially my friend, Mr. Milliones, the intent of this bill is to make sure the conditions out there are safe. That's basically what the bill says. It in no way takes a position on the labor management disagreement. But we just want to make sure that the strikers, the people who are picketing, the pedestrians, the vehicle traffic, that even the company itself going in and out of the driveway, is protected through any unsafe conditions. That's what we're asking John Walluk, our Director of Public Works, to do, is to go out there to see where the easement could be granted in such a way that all parties are safe, and I think that's what the intent of the legislation is.

Again, it's creating, as Mr. Cohen has said, and I've stated in the past, a level playing field. I can give numerous instances over the last few years where there has been pickets, where there's been strikers, and where the police have not moved in and taken them off either the road or the sidewalk. And, for some reason, in this instance, it's been totally different from other ways we've treated strikers and picketers.

So, I think what we're trying to do in this is create a level playing field where management and labor can come together and negotiate, but neither one feels that City Hall is directing their worth on the other, and I think that's the reason we need this legislation. Thank you.

Mr. O'Connor:

Also in that letter I think maybe a call from you, Jack, to explain that we're not taking sides, that we're just what Mr. Ricciardi said.

But also, I think Mr. Milliones has a valid issue, that we have to be careful that we don't take sides and chase the company away. Then everybody loses.

The Chair:

The problem is, a part of them have moved away already, and that's really the issue here, that they have taken away the majority of the workforce from the City of Pittsburgh and relocated it to New York State and have, in effect, broke the union in the process. The union is still bitter about it and they are simply expressing their opinion through picketing. And what we are saying is, the government in a neutral sense is, we'd like you back and we'll do whatever we can to get you back. And I don't think that message is getting through, but we'll try again.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8

NOES 1

(MR. MILLIONES VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Cohen presented

Bill No. 436

Report of the Committee on Planning, Housing and Development for March 4, 1992 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 9

A Resolution entitled, "Resolution approving a Conditional Use Exception under Section 993.01(a)A(33) of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993, to Highland Limited Partnership for authorization to convert the existing 13-story structure located at 121 South Highland Avenue into 120 dwelling units for the elderly with the first floor to remain commercial and approximately 4,000 square feet of open space as a rooftop deck with a total of 30 parking spaces located at the Highland Ellsworth parking lot and or the Stevenson Place parking lot, on property zoned 'C4' Commercial District, 8th Ward."

Which was read.

Mr. Cohen:

Mr. President, I would just like my comments brought forward on Bill 9.

Mr. Onorato:

I would also like my comments brought forward.

(REMARKS ON FOLLOWING PAGES)

(MESSRS COHEN & ONORATO'S COMMENTS ON BILL NO. 9 - 3/4/92)

Mr. Cohen:

I will be happy to. This hasn't been an easy decision, but I think we would all prefer the Highland Building to be commercial. But I think we have to deal with the facts here and not illusions.

The fact is there aren't any potential commercial tenants, there have not been any serious offers in two years for commercial tenants, and with the state of the economy in Pittsburgh and in East Liberty, I don't believe there will be for some time. So the way I look at this -- and there has been a great deal of discussion on this, there have been six Planning Commission hearings, two City Council hearings and one public hearing in East Liberty on this -- the way I look at it is we are faced with a choice, and the choice is between this project or a vacant shell in the heart of East Liberty for several years.

Given that choice, I think from my point of view, our decision should be to go with this project. More over, I think that it is a good project. I think we have an excellent developer who is involved in the project, that this will be good, comfortable housing for our senior citizens. And I have been impressed, frankly, with Mr. Allen and what he has presented to us. I think anyone who calls this building "warehousing for the elderly" does not understand this development. It is going to be a spacious one with comfortable apartments that have roof top gardens and community rooms in there, it will be service-supported by Vintage and other service groups, and with full participation by a tenants' council in the management of the building.

As I say, I have been impressed with this developer. The developer has had nearly 20 years of experience with these types of projects, has built many successful housing developments in places such as Durham, North Carolina, Portland, Maine, and several other states. And I have here received a number of newspaper articles and commendations from different cities about this developer. Every time we are faced with a development like this and we move forward on it, it is a risk; there is no question it is a risk. But I think that the risk of not doing this development is much greater. Given this particular developer's track record of developing good housing for middle income tenants, low and middle income tenants, I think it is a risk that we should take.

So that is my view on it. I think we should vote for this today.

(Deleted text.)

Mr. Onorato:

I have to comment that this started before I was on

Council, and since I have been on Council I sat through a public hearing and a post agenda yesterday. I will support this project, but I am not happy supporting it. Let me tell you why.

Yesterday, all you heard at the public hearing and yesterday's post agenda is that there is no business interested over a two year period, that no one has come forward to put a commercial entity or business in this building. Yet, we have a private developer out there that wants to convert this to senior citizens high-rise, which I am sure will be an excellent high-rise, and

Mr. Allen has an excellent reputation, even the business community admits that. But what you never heard -- and I felt that I was deceived a little bit -- is this was not a private developer coming in here to develop this building because he wanted to make an investment. There were incentives with public funds involved. Those public funds came from the federal tax credits, and we were told yesterday that would amount to approximately \$3 million in equity through the credits. There is URA dollars involved, and I think it should be noted today that if the credits and the URA dollars were not involved, that building would be vacant, there would be no contract for the senior citizens building or no commercial contractor moving in there.

I would ask in the future that our Department of Planning look at packaging programs for both commercial and residential, and then let's see what really should move in there. The point is, we did not have an even playing field, let's don't tell people we did and that the commercial didn't come forward. No one came forward. The only reason someone came forward is because of the incentives of public dollars went into this project. That is why I am not happy with this bill or with the legislation.

The only reason I am voting for it is because everything is in place, the financing is in place, and I am afraid if I vote against it that nothing will go into the building at this stage of the game.

(END OF REMARKS)

(Transcribed by Helen L. Kriebel, Stenotype Reporter)

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Michelle Madoff	Mr. Onorato
Mr. Milliones	Mr. Wagner
	(Pres't)

AYES 6

NOES 2

(MR. FERLO AND MR. RICCIARDI VOTING NO)

(MR. DARKINS ABSTAINING)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Cohen:

Mr. President, I move to make Bill No. 9 effective upon the signature of the Mayor.

Mr. Milliones seconded the motion.

WHICH MOTION PREVAILED.

Also,

Bill No. 257

A Resolution entitled, "Resolution amending Resolution No. 637, approved July 27, 1984, entitled 'Providing for the implementation of a Residential Sticker Parking Program in the Oakland community pursuant to Pittsburgh

Code, Chapter 549' so as to amend the parking management plan which provides for two (2) hour time limitations on parking in Area 'C', with the exception of Dunseith Street which shall be restricted to one (1) hour."

Which was read.

Mr. Cohen:

Mr. President, I would just like my comments brought forward on Bill 257.

(REMARKS ON FOLLOWING PAGE)

(MR. COHEN'S COMMENTS ON BILL NO. 257-Wednesday, 3/4/92)

Mr. Cohen:

Hopefully all Councilmembers received the memorandum from Director Downing about this expansion of Area "C" -- excuse me, it is actually a decrease in hours on Dunseith Street from two to one hour. I think it makes a pretty compelling case, myself, that Dunseith Street really has a much higher congestion on that street than other streets nearby. So I am going to be voting for it.

(END OF REMARKS)

(Transcribed by Helen L. Kriebel, Stenotype Repoter)

Also,

Bill No. 293

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh for a cooperation agreement and a consultant or consultants for the purpose of providing architectural and design services, consumer surveys and market studies, promotional activities, commercial revitalization planning assistance, technical assistance and business district management in various neighborhood business districts as part of the City's Neighborhood Business District Revitalization Program."

Which was read.

Also,

Bill No. 294

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Western Pennsylvania Conservancy for the Community Self-Help Beautification and Community Gardening Programs in Community Development neighborhoods, and for the development of floral beds on highly visible vacant lots in the City at a cost not to exceed \$25,000.00."

Which was read.

Also,

Bill No. 295

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to submit an application for financial assistance in the amount of \$300,000 to the Pennsylvania Department of Community Affairs

for the Neighborhood Housing Program."

Which was read.

Also,

Bill No. 296

A Resolution entitled, "Resolution authorizing a 1992 Neighborhood Housing Program Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh providing for the designation of \$300,000 of Pittsburgh Home Ownership Program funds and private funds as the local matching share for a grant applied for in an application for financial assistance filed with the Pennsylvania Department of Community Affairs."

Which was read.

Also,

Bill No. 297

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to submit an application for financial assistance in the amount of \$375,000 to the Pennsylvania Department of Community Affairs for the Housing Recovery Program."

Which was read.

Also,

Bill No. 298

A Resolution entitled, "Resolution authorizing a 1992 Housing Recovery Program Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh providing for the designation of \$375,000 of Housing Revenue Bond Funds as the local matching share for a grant applied for in an application for financial

assistance filed with the Pennsylvania Department of Community Affairs."

Which was read.

Also,

Bill No. 299

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to submit an application for financial assistance in the amount of \$400,000 to the Pennsylvania Department of community affairs for the Penn-Liberty Streetscape Improvements Program."

Which was read.

Also,

Bill No. 300

A Resolution entitled, "Resolution authorizing a 1992 Penn-Liberty Streetscape Improvements Program Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh providing for the designation of \$400,000 of City bond funds and private foundation grants as the local matching share for a grant applied for in an application for financial assistance filed with the Pennsylvania Department of Community Affairs."

Which was read.

Also,

Bill No. 303

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to submit an application for financial assistance in the amount of \$110,000 to the Pennsylvania Department of Community Affairs

for the Doughboy Square Bank Buildings Project."

Which was read.

Also,

Bill No. 304

A Resolution entitled, "Resolution authorizing a Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh for the Doughboy Square Bank Buildings project providing for the designation of \$110,000 of CDBG funds, foundation grants and private lender funds as the local matching share for a grant applied for in an application for financial assistance filed with the Pennsylvania Department of Community Affairs."

Which was read.

Also,

Bill No. 305

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to submit an application for financial assistance in the amount of \$375,000 to the Pennsylvania Department of Community Affairs for the Lawrenceville Industrial Site Project."

Which was read.

Mr. Ferlo:

Mr. Chairman, on Bills 303 and 305 I do want to thank the Administration and the Urban Redevelopment Authority and also applaud the efforts of the Lawrenceville Development Corporation. These are two important applications back to the State to try to recruit some of the interest monies that could come back into the community. The one bill, 303, would be

a \$110,000 sum of money that would go into the Doughboy Square Bank Renovation Proposal.

This is a very important Keystone property into the Butler Street, Penn, Lawrenceville community. It's adjacent to a project that is already initiated regarding the construction of some townhouses. And, again, it would begin to attack a very blighted, yet a very important area that accesses into the heart of the Lawrenceville business district, and I want to thank the Administration for recognizing the importance of that project.

Also, the URA on the other bill, Bill 305, that's a \$375,000 application for the State for getting funds back to the community, and that's for assembling some additional parcels as part of the Lawrenceville Industrial Site. This would launch some construction of new businesses in the area similar in fashion to the effort of the City Pride Bakery.

I guess I'm saying this because I do complain often times about the URA in relation to some of the bigger projects. I repeatedly complain about the \$20 million that we have invested in Herr's Island and the J & L Technology Center, another \$20 million. That's \$40 million over a 7 year period and I'm not happy with what I see as a return. I think if the URA would concentrate more on some of the smaller industrial sites, parceling properties together, helping the private sector with the infrastructure or the clean-up that's needed, I think we can turn over property more quickly, build smaller mid-size companies, and actually contribute more to the local economy. So, I want to thank them in that respect.

Also,

Bill No. 306

A Resolution entitled, "Resolution authorizing a

Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh for the Lawrenceville Industrial Site Project providing for the designation of the local matching share for a \$375,000 grant applied for in an application for financial assistance filed with the Pennsylvania Department of Community Affairs."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Ferlo:

Mr. President, with Mr. Cohen's permission, I'd like to ask him to consider making the various bills relevant to the URA's application back to DCA. There is a time constraint on them and I'd like to ask that they be law upon the signature of the Mayor.

Mr. Cohen:

I have no problem with that. So moved.

Michelle Madoff seconded the motion.

WHICH MOTION PREVAILED.

Mr. Ferlo presented

Bill No. 437

Report of the Committee on General Services for March 4, 1992 transmitting one ordinance to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 309

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code of Ordinances, Title One - Administration, Article VII - Procedures, Chapter 161 - Contracts, Section 161.12 BID AND PERFORMANCE BONDS, Section 161.13 BONDS ON SMALL CONTRACTS."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen
Mr. Darkins
Mr. Ferlo
Michelle Madoff

Mr. O'Connor
Mr. Onorato
Mr. Ricciardi
Mr. Wagner

Mr. Milliones

(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. O'Connor presented

Bill No. 438

Report of the Committee on Parks and Recreation for March 4, 1992 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 321

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Dairy Barn Southeastern Ohio Cultural Arts Center, an independent contractor, for the purpose of providing a quilt display at Phipps Conservatory. The total cost shall not exceed \$6,000.00, and shall be chargeable to and payable from Phipps Conservatory Trust Fund, Index Code 253153 in the Department of Parks and Recreation."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Millions	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Onorato presented

Bill No. 439

Report of the Committee on Public Safety for March 4, 1992 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 401

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the County of Allegheny for the purpose of providing forensic laboratory services in the Department of Public Safety, Bureau of Police for the month of March 1992. The total cost shall not exceed \$18,844.00 and shall be chargeable to and payable from Code Account 1017, in the Office of the Mayor."

---(SPONSORED BY MR. RICCIARDI)
(AS AMENDED IN COMMITTEE)

Which was read.

Mr. Ricciardi:

Mr. President, I move to amend Bill No. 401 by deleting the month of March and inserting

the month of April.

Michelle Madoff seconded the motion.

WHICH MOTION PREVAILED.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Millions	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

MOTIONS AND RESOLUTIONS

The Chair presents

No. 442 Communication from Mayor Masloff informing Council of the appointment of Councilman Daniel S. Cohen, Pittsburgh City Council, 510 City-County Building, Pittsburgh, Pennsylvania 15219, to the Stadium Authority Board of the City of Pittsburgh for a term to expire January, 1993. Councilman Cohen is replacing Councilman Michael Coyne.

Which was read.

Mr. Ferlo moved to approve the appointment.

Mr. Darkins seconded the motion.

WHICH MOTION PREVAILED.

The Chair:

Could I please put forth a motion to televise the public hearing on the Animal Ordinance on the 19th at 10:00 a.m. and televise the public hearing on Tow Truck Legislation on the 26th?

Mr. Milliones:

So moved.

Mr. Cohen seconded the motion.

WHICH MOTION PREVAILED.

Mr. Ferlo:

I make a motion to televise the public hearing on the Oakland Historic Designation.

Mr. Ricciardi seconded the motion.

WHICH MOTION PREVAILED.

Michelle Madoff:

Same subject for a moment. I had asked Mike Perry to introduce legislation, and I know it's forthcoming, that we keep our film tapes as part of our library for at least a month. On many occasions I have had an emergency where I wanted to go back and look at something, someone called or something happened in Council, and they are erased. You would think somebody was coming to get them.

I would like to keep those tapes for one month in a library here so that we have them so if

we need a copy of them we can get them.

Mr. Darkins seconded the motion.

The Chair:

You would need an ordinance, an actual piece of legislation, to mandate that, rather than a simple motion.

Michelle Madoff:

Mike, would you get it done as fast as you can?

Mr. Perry:

He agreed to it.

Michelle Madoff:

He's agreed to it. I want a letter from him, and I want it a day that I'm here so that they don't change the rule when I'm out to say we don't need reports anymore.

On another issue. I just had this come across my desk. It's a crude payroll code account and Controller's carry over encumbrances. It's not an issue but it gives us pages and pages and pages of index code, code account and index code total. I guess it's funds that are available and some substantive dollars. The only problem is that I don't think we should have to look up every code account to find out what it is.

So, when the final documents comes in, will you please send a letter to the Controller's Office or whomever it may concern, that we'd like to know what code account it's in, what is the code account called, what is the money being held there for because we're talking about I think over \$1 million. As a matter of fact, it's \$5 million.

There's nothing explaining it, there's nothing. It just popped up out of nowhere.

The Chair:

Fine.

Michelle Madoff:

On another item. I had a meeting yesterday, and I don't even want to mention where it was because we don't want to alarm people unnecessarily, but about 15 people, parents, the Principal of the school, a number of people, a representative of the Mayor's Office, met to discuss problems in the communities. And the problem in the community is no different in the second district that I represent than it was in the district when I lived in Squirrel Hill or whether its Shadyside or Point Breeze or what have you.

The problem that we were discussing and the citizens were up in arms about was the problem of teenage vandals, teenage harassment, kids hanging out on corners, drugs, perceived drugs, perceived weapons and so on.

Commander Sennet was there and he brought along some of his frustration, and I really feel for him. This is 1991's list of car thefts in District 2. Now, I am sure that if we took car thefts in Shadyside, Mr. Cohen, it would be larger than this. And these were only the ones that were caught.

Mr. Cohen:

Absolutely. It's the largest neighborhood in the City.

Michelle Madoff:

And if we went to car thefts in every one of the six police districts, I'm not talking about the

nine districts of Council but the six stations.

The interesting part about it is that it's the same kids. And we're only talking about car theft here; we're not talking about the kids who were caught for pushing drugs, not kids who were truants, we're not talking about kids who were drinking and disrupting neighborhoods. We're not talking about the same kinds of things that exist in every community, and the thing is, it's the same old people.

The frustration of Commander Sennett and myself and I'm sure other members here, is that if we catch them, they go to court, they get a slap on the wrist, and the Judge says, and he's probably right, "What am I going to do, put the rapist in jail or put the kid who stole a car in jail?"

So, what we have are kids who have stolen cars out on parole, under their own recognizance, or they go to a program that they can walk away from.

And, incidentally, I learned something that's appalling. There are kids who are on home detention, I don't know the correct terminology, and they have to wear ankle things on their legs. So, they roll up their pants legs as a badge of courage to show that they have these electronic devices to monitor where they are, and they think it's wonderful that they have that.

Now, I don't believe that most kids are bad. I think most kids are good. And I think the problems are societal problems; lack of jobs, lack of recreational facilities. But it seems to me that we need to take the leadership here.

I'm going to ask the President of Council, I have already asked one of the Mayor's Administrative people to go back and deliver the message, I've asked Mary Lou to deliver the message to the Mayor, that we would like to meet with the representatives of the courts, perhaps the

Commissioners, somebody from Casey's Office. We need to get public support for adequate jail facilities, adequate programs. Maybe we need to send them to boot camp. But we cannot inflict these same kids on a community over and over again. We need to rehabilitate them, give them a chance. I'm not saying to cut their ankles off, although graffiti kids should lick the graffiti off with their tongues.

But I really believe that we need to address this problem because it's not indigenous to District 2, which is West End, Elliott, Sheraden, Mount Washington, Duquesne Heights, etc. It is everywhere. And if the President of Council would set up, not a post agenda, you might want to do that first of all, but a public hearing. We'd probably need Soldiers and Sailors Hall. And I want to make sure that the message gets to our State Legislators and in the Federal Government and to the Commissioners and to have our judge and our court representatives there to say that we will back them, that we will vote for monies to be appropriated that will provide the funds that are needed to start to curb this problem.

We're one of the last cities to really have the drug problems and the problems of the drug pushers coming in from other areas, but it's happening here.

For those of my colleagues who don't know, there was a time not too long ago that I went up on the Hill and I walked around. And there were literally streets with needles everywhere. And balloons. I never knew what these colored balloons were for. I guess they keep the drugs in the balloons. And kids walk to school and pets walk through these needles, and they have AIDS on them. I mean the disease kind.

We just can't close our eyes and pretend it isn't happening and the problems of the

communities that the citizens can't solve themselves.

One of the women there said that they have a wonderful crime watch community, but it doesn't do the job because there are certain parents who don't care about their kids, they don't care where they are. They'll even pay the fines and they don't care.

It's such a serious problem that I ask respectfully that my colleagues support me in a motion and that we ask the President of Council to set up a public hearing. If he wishes to hold a post agenda first, whatever you want to do, and I welcome all your input. Let's meet with the representatives of the courts. I know Judge Zavarella and whomever else we think would be appropriate. Whomever. And let us start dealing with this problem before it gets so out of hand that there's nothing else we can do about it.

Mr. Ferlo:

Second for the purpose of discussion.

Every once in a while the stars are constellated and Michelle and I want to talk about the same thing at the end of the meeting, and this is one of those days. In fact, Mr. Ricciardi and myself were at a meeting this past week in Bloomfield exactly on this issue and I'm sure every other Councilmember here, Mr. Cohen, Mr. O'Connor and Mr. Onorato, have all attended meetings, even recently, in the community where it's been quite obvious that we're losing control. Michelle has specifically pinpointed the visible, what she has phrased as juvenile delinquency.

Having been out in the field and working on this issue, I don't think the problem is just simply anymore that we need a rec center. I'll pick an example in Bloomfield. The focus was the fact that we already have built a \$1,600,000 beautiful Bloomfield Recreation Center,

including astroturf. And you'll all remember a significant debate and we filled this hearing room with citizens from Bloomfield back when Mayor Caliguiri was concerned about making repairs to the field and we spent upwards of \$400,000 for astroturf. The turf which is right now being burned by juveniles in that community.

I was just out there last night looking at the situation from the graffiti to the destruction of the Rec Center building to the burning of the astroturf, and I know very clearly that the Bloomfield community is very outraged and very upset.

I do think that one of the things that we need to focus in on, though, as part of Michelle's concern, and I agree with her as far as the public hearing, I'm all for a public hearing provided we can get some of these other individuals here to respond to this plight, in addition to citizens coming down here and stating what is already fact and what all of us already know.

As Michelle has pointed out, we need to begin to, as Mr. Wagner has eloquently in the past, ask what our State Legislators are doing. There are things that need to be done regarding the crime codes as it relates to juveniles in the Commonwealth that the State Legislature is ignoring. We need to have some of those individuals present at the public hearing.

I do ask that we have Judge Dauer and Judge Zavarella and also the Juvenile Court Masters at the public hearing to talk specifically about what they are doing regarding the problem, what kinds of sentencing, what kinds of incentives are they providing.

I don't believe that we're going to have a situation where we create jails just to house juveniles. I don't think that's practical nor cost effective, nor is it going to work. But I do think part of the problem, and the reason why it's

becoming so aggravated in recent months and it's going to be worse through the summer months, is what I would classify is the lack of visible police presence. We basically have allowed people to run the streets and take control. And that's what's happening.

I'll pick an example which is what I was going to speak about at the end of the meeting, but it ties into this. In this past week alone, there has been seven robberies in the Butler Street corridor, in and around a part of the neighborhood that we have concerns about regarding juveniles' late night drinking, etc. We also at the same time have a significant grouping of juveniles in and around the Bloomfield Rec Center who are just very openly and brazenly doing whatever they want.

We heard a horror story from one of the Sisters from the Immaculate Conception School this week from the Church who talked about acid, LSD, being distributed among kids as young as 7th, 8th and 9th graders. All of this activity is visible and happening right now in the early evening, late evening hours, in and around the Bloomfield Rec Center.

I do think we can have this broad hearing and talk about the whole gamut of issues, but I still remain concerned and I'll still beat to death the issue of the lack of visible foot patrol and the lack of visible police presence.

And, as part of that, Mr. President, and then I'll close, I've been concerned for the past year. One of the first officers that gets dispatched out of Zone 5, as soon as they come in through the door for roll call, is an officer who gets in the squad car and goes over to the Waterworks Mall and sits there for each shift. They do nothing more than sit in that car. The overwhelming majority of crimes that happen at the Waterworks Mall are retail theft, something that the police themselves can't even deal with. The owner of

the store has to deal with the apprehending with their security guard. And, as some of the business people here will know, you have to file charges with the District Justice.

I don't know why we've committed a full-time police officer 24 hours a day to the Waterworks Mall. That person should be dispatched to Zone 5 to deal with providing some visible police presence and interaction with the kids hanging out below the Rec Center, below the Bloomfield Bridge, open drinking, torching the turf, reeking the Center, etc. That officer should be visible. They should be an officer that travels around Zone 5, from the East Hills down to Lawrenceville. They could be in and around the basketball court area. They could interact with the merchants along the Butler Street corridor. The Lawrenceville Citizens Council has been very vocal in requesting from the Mayor's Office visible foot patrol.

So, again, as part of this request and as a side note, I would like to ask that we send a letter to the Administration. I talked to Mr. Onorato, the Chairman of Public Safety, about whether or not this is justified in the best use of a police officer. I don't think we should be providing full-time police presence for one private business owner, Mr. Gumberg. I don't care who he knows in the Mayor's Office; that's not the way City government should be run.

The businesses along Liberty Avenue in Bloomfield or Butler Street and that corridor pay just as much taxes, as well as the home owners, as Mr. Gumberg and the Waterworks Mall. It takes just as much time, 12 minutes or 20 minutes, to get from the East Hills down to lower Lawrenceville when there's a call just as much as it would take to go from Bloomfield or East Liberty or Highland Park to get over to the Waterworks Mall.

I resent the fact that a full-time officer in a

squad car is dispatched and sits in a parking lot. It's almost like having a mini police station there 24 hours a day. I don't think that's justifiable, I think it's showing preference, and I think that officer could better be used to deal with the juvenile problem that Michelle has well articulated.

I would ask that as part of the motion for the public hearing, as a side bar, that we specifically ask for a response from the Administration, Chief DeRoy, Director Cannon, on what justification is there for this officer to be at the Waterworks Mall 24 hours a day.

The Chair:

We're talking about two different motions.

Mr. Ferlo:

I'll hold my second motion until we resolve the public hearing motion.

Michelle Madoff:

May I just summarize the resolution and then everyone else can speak to the issue.

I'd like to say something terribly important. I'm disappointed that two of my colleagues left. I want you to know that this issue in my district was a white issue and I think that's important to get on the record.

I welcome all the input and I'd like to set the parameters. I would like the President of Council to hold the hearing because it's coming out of this Council and we take the leadership role because I don't know where the Administration has been on this issue. That's item one. I support the President of Council doing it and I hope my colleagues agree with that.

Secondly, we have other issues that have come up here over the years that I have brought up, and that is that there is a system that's being used all over the country that can track stolen cars. We don't do it because in the state of Pennsylvania it's somewhere in the middle of the state and they get a helicopter and they see the car and they say, "What do you need a tracking system for? It's ridiculous."

We need to look at that and have the Chief of that program come to Pittsburgh.

Fingerprinting of juveniles. Have somebody come and talk to the subject of fingerprinting of juveniles.

We need to talk about the fact that on March 24, Channel 11 is having Tom Brokaw in town at Taylor Alderdice and they're asking all of us to show up. If the public wants to get in, call Channel 11 so you can be there and be heard. This is the subject. They're keeping it local but I'm sure it's going to be carried nationally.

The last thing I'd like to point out is that every year at budget time I do sort of a little personal survey, a little poll, and I ask the same question. Would you be willing to put a fraction of a percentage of your tax dollars, additional tax dollars, into a fund, a line item, that would be used solely for police and crime and drug prevention? The unanimous opinion, almost across the board, is yes.

That gets to the issue of what my colleague, Mr. Ferlo, is saying. I agree. We absolutely have to have visible police in the area. And I don't think we take it from Peter to rob Paul. I don't thin the issue is the Waterworks, with all due respect, versus somewhere else. It's a big tax bearing community and they need protection. But that doesn't mean we don't get it elsewhere.

I think we need to explore the possibility

of where can we tighten up monies in other areas so that we can have monies for the visible police in a community. I know we can't have a policeman on every corner but I think this has become an absolute necessity and maybe we ought to ask the Administration to do a professional poll and ask people whether they would pay a slight tax increase because my information is that they will.

With that, I suggest that we go ahead with this hearing having all my colleagues put in ideas of whom they think we should have present, submit it to the President of Council and, in his infinite wisdom, he'll either start with a post agenda or a public hearing. And I'm not kidding when I say that we're going to need Soldiers and Sailors. Televised.

The Chair:

The motion on the floor is for a public hearing.

Now, there is a post agenda at 11:30 and there are a lot of people here for that post agenda on Downtown development issues and other related issues. I would ask that comments on this issue be kept to two minutes per Councilmember so that we can get moving on that first.

Mr. Onorato:

Mr. President, last night I had a town meeting in Northview Heights which is a Housing Authority area. While I was waiting outside of the building, we saw two drug deals go down across the park. I was standing there watching it. I had mothers who were going to the meeting standing next to me in panic, screaming that it's a matter of time before there's a crossfire taking place up there, and their little ones will be in the middle of it because there were hundreds of kids playing in the ballpark.

The problem that I have, we have to rethink policing through the Department of Public Safety, and also with the Housing Authority. The Housing Authority oversees a lot of areas within the City. If you look at the millions of dollars they spend year after year after year on rehabbing the buildings, especially during election years, and those buildings get boarded up, the windows get broken, right after they're fixed. It's time that we spend the money on policing.

We have about 35 officers currently that patrol our housing projects. It's time that maybe we double or triple that force and see that every penny possible goes to policing, and that's full-time policing, 7 days a week, 24 hours a day. People don't want to hear this. We hear the same answer that there's no money, we can't do it. Well, we can't accept that answer anymore. We need visibility in these housing facilities every day of the week.

And, getting to the regular policing of our neighborhoods, the officers just aren't there currently. Well, the way I look at it is, City government is here for two things; keeping streets safe and clean. It's time that we think where we're spending our money and stop spending it on subsidizing activities that not only the City uses but the County and the region uses. We can no longer afford to subsidize these facilities, and if it takes shutting them down because no one wants to help, we're going to have to do that. The bottom line is, police and the clean streets are the last things to go. Right now, we are sacrificing the policing and the clean streets we have for all these facilities throughout the City. It's a tough decision to make but someone is going to have to make it. More police are needed, and that's the bottom line.

Mr. Cohen:

I just want to support Michelle's motion

for a public hearing on this very important issue of juveniles and increasing crime in all of our neighborhoods.

I know that Michelle would agree that this is not a white issue, it's not a black issue; it's a City-wide issue and one that affects all of us.

Just very briefly on the auto theft portion of that, which is what Michelle started with. I would very much like us to have our State Legislators there because it is a Crime Code issue, as much as it is anything else.

I have been out front calling for mandatory sentencing for juveniles who commit multiple car thefts. I've taken some hits for it, even from people whom I have great respect for like Monsignor Rice. But I think we've got to take some drastic measures.

I represent the district that has by far the most car thefts in the City. There are juveniles who literally have stolen 40 and 50 cars. That takes it beyond a simple juvenile crime issue.

So, let's make sure we get the State Legislators there and have them respond to that.

I think it's a good idea, Michelle.

Mr. Ferio:

You know, part of this whole issue is that Council budgeted 1,175 officers, as Mr. Ricciardi mentioned the other night in Bloomfield. The Administration should immediately put on a new class at the Police Academy and get up to that full budgeted figure. The Mayor ran for office on that commitment and she has reneged on it.

The Chair:

Prior to vote on the resolution, I'd like to

make a comment because I don't want the public to think that we have an unsafe city. I see Jacques Kahn in the audience and it reminds me that with the auto theft problem, the auto theft problem is just as bad at Monroeville Mall and South Hills Village and other suburban locations as it is in the City of Pittsburgh. In many instances, the narcotics problem is as bad in other areas also.

Auto theft today with young people is like when we were children and you stole a loaf of bread. Today they steal cars. And the problem still is at the national level in that there is not national legislation to mandate anti-theft devices on all automobiles. The reason why that is not happening is that the insurance industry and the automobile industry and their lobbying effort prevents it from happening.

The narcotics issue, again, we need to get people at higher levels involved in this because it's also a federal issue. There's a presidential election, no one is talking about the issue. It's unbelievable that they're not talking about the issue to any great detail, and I'm talking about both parties.

But I think we need this public hearing and I strongly support it. In my district, Brookline, we have a serious burglary problem going on and I've been working with the Commander on it and still we haven't solved it.

There are a multitude of issues and I commend all of you for requesting such a hearing.

But I just want to summarize by saying that the problem just isn't a City problem. It's beyond it and it involves higher levels of government, including the federal government, and we need to get people involved here and let the message be heard from a local level.

Mr. Ferlo:

I'd like to amend your motion that it be a televised public hearing.

Michelle Madoff:

I said that.

The Chair:

All in favor of the hearing? Opposed?

WHICH MOTION PREVAILED.

Mr. Ferlo:

My other request, Mr. President, a motion to the Administration, is to send a letter for an explanation for why an officer is dispatched to the Waterworks Mall on a 24 hour basis.

Mr. Ricciardi seconded the motion.

WHICH MOTION PREVAILED.

Mr. Cohen:

Mr. President, the post agenda meeting on Downtown revitalization will begin in three minutes.

Mr. Ricciardi moved to approve the Minutes of Tuesday, February 18, 1992.

Michelle Madoff seconded the motion.

WHICH MOTION PREVAILED.

And on the motion of Mr. Cohen

Council adjourned.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

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No. 11

Municipal Record

ONE-HUNDRED TWENTY-SEVENTH COUNCIL

JACK WAGNER President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER.... Asst. City Clerk

Pittsburgh, PA
Tuesday, March 17, 1992

PRESENT:

MR. COHEN	MR. O'CONNOR
MR. DARKINS	MR. ONORATO
MR. FERLO	MR. RICCIARDI
MICHELLE MADOFF	MR. WAGNER
MR. MILLIONES	(Pres't)

The Meeting was opened by the recitation of the Pledge of Allegiance to the Flag of the United States of America, and a moment of silent prayer for peace throughout the world.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Cohen:

Would the young people from the School of Advanced Jewish Studies come up here, please?

Mr. Cohen presents

No. 468 WHEREAS, 31 high school students in grades 10-12, representing the School for Advanced Jewish Studies and various synagogues in the City, were part of the "Panim El Panim" or "Face to Face" program in Washington, D.C. from March 1 through March 4, 1992; and

WHEREAS, these students include Gideon Gradman, Rachel Blank; Alexandra Falek; Bryna Siegel; Emily Farkas; Ariana Reaven; Jacob Goldberg; Kevin Charapp; Melissa Bradford; Arin Levine; Robin Fine; Russ Merkow; Marni Greenwald; Elana Kornblit; Harriet Shapiro; Lorie Barr; Anat Gal-Or; Alison Goldstein; Yah-El Har-El; Jamey Lavelle; Samantha Cohen; Todd Neufeld; Melanie Miller; Nancy Moritz; Ofer Lion; Scott Krasik; Lori Rood; Jeremy Childs; Michelle Roos; Michele Fakiro; Debbie Marvit; and

WHEREAS, this group from Pittsburgh participated in this nation-wide program, sponsored by the Washington Institute for Jewish Leadership and Values, for the first time; and

WHEREAS, these students witnessed Supreme Court deliberations, visited both Houses of Congress, and heard many distinguished speakers; and

WHEREAS, the Institute focused on the issues of the environment, refugees and sanctuary, social justice and equal opportunity, and becoming involved in government.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby congratulates the School for Advanced Jewish Studies and commends these Pittsburgh students for their participation in this important program; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh recognizes these students for living up to Rabbi Hillel's exhortation, "If I am not for myself, who will be for me? And if I am only for myself, what am I? And if not now, when?"

Mr. Cohen moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Cohen:

Members of Council, we have here today from SAJS Dr. Patricia Feldman who is the Dean of the Program, Dean of the School, Ms. Mirel Posy who is the Assistant Dean of SAJS, and we also have Scott Krasik who we are going to here from in a moment, Jacob Goldberg, Ofer Lion, Arin Levine, Elana Kornblit, Marnie Greenwald who we'll also hear from, and Melanie Miller.

I just heard the report about this trip. I had heard a lot about it before hand, and I'm not sure I have seen a more energized group of young people about government than this group right

here. They went down to Washington and saw the Supreme Court and they saw Congress in action on Capitol Hill, and I think they learned first-hand what it's like to participate in government, what it's like to lobby and, I think, understand that if you really believe in something you have to take action, citizens action, and try to get it accomplished.

So, I would like to have Scott Krasik first say a few words about his experience first-hand.

Mr. Krasik:

Panim El Panim was a great learning experience. As said before, we touched on issues concerning the environment, social injustice throughout the world, and also the Haitian Refugee situation. And, along with touching on all of those topics, we also applied those and used Jewish principle and Jewish law to find another viewpoint on this situation and on these issues.

The United Jewish Federation was responsible for this. Without them we wouldn't have been able to go. Dr. Feldman, Mrs. Posy, and all of my fellow participants, it was a great trip and hopefully throughout the year we'll be able to teach what we learned to everyone else. Thank you.

Ms. Greenwald:

Scott basically said everything. I'd just like to say that everyone on the trip got a better understanding of our government. I know that I learned so much about our government.

We talked about issues such as the Syrians, the 4,000 Jewish Syrians kept captive in Syria right now. We talked about issues, like Scott said. We talked about Jewish perspective on all of these issues. We heard different government officials.

I'd like to also add that we met lots of people, we made great friends on this trip, and I strongly recommend it to anyone going on another trip. Thank you.

Mr. Cohen:

I just want to say very briefly that we also have a number of parents in the audience today and it's good to have you here. I think we have at least two future public officials in this group and hopefully more.

Thank you all. Congratulations.

Mr. Ferlo:

I'd like Joni Rabinowitz from Just Harvest Organization to come up, please.

First of all, Happy St. Patrick's Day to all of our Irish friends, even though everybody is Irish today.

Mr. Ferlo presents

No. 469 WHEREAS, the Medford Declaration to End Hunger in the United States was drafted over a period of several months by a committee of national hunger organizations convening at Tufts University in Medford, Massachusetts; and

WHEREAS, the document has become the standard by which we as a nation express our goal, commitment and intention to end hunger in America; and

WHEREAS, the Medford Declaration to End Hunger in the U.S. has enumerated the following principles to guide this worthy goal:

1. The best anti-poverty program is a working, self-reliant nation that provides full time work opportunities for individuals and families.

2. Our economic policy for 1992 and beyond should focus on peace time conversion to get America working with fair and full-time wage and benefits.

3. The focus of public policy should be to provide Americans of all ages with the skills and education necessary to earn a decent living.

4. Public policies should help build the strength of two-parent families, assist single parent households in nurturing children, and support families and vulnerable households.

5. Policies and programs must provide adequate resources early in the lives of vulnerable families, rather than waiting until problems get more complex and costly.

6. The existing federal poverty standard is based on the economy of the 1950's, and must be revised to reflect the actual costs of basic necessities.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby endorses the Medford Declaration to End Hunger in the U.S. and recognizes that for the first time in our history, our desire to end hunger is converging with our ability and opportunity to do so; and

BE IT FURTHER RESOLVED, that the Council communicates this endorsement to our national and state elected officials.

Mr. Ferlo moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. Ferlo:

Obviously, passing a general proclamation, a resolution in support of these principles is not going to do enough, but I think it's important that municipalities, especially urban centers across this country, get on board in support of the resolution.

I would like to introduce Joni Rabinowitz as one of the Program Coordinators for Just Harvest. Just Harvest is no stranger to these Council Chambers. It's an advocacy organization that is very active for the last four or five years here in Washington, PA and in the City, working on issues of hunger and the problem of hunger in our society and in the City.

They were instrumental in helping Council devise initially the Hunger Trust Fund which allocated dollars to the food pantries throughout the City. They were instrumental in developing the legislation creating what has now been referred to as the Mayor's Food Policy Commission. And they have been doing a lot of advocacy work on the Commission's goals. I know Mr. O'Connor, a Member of Council, has been very active with the work of the Commission. And they have been very active in bringing the School Breakfast Program, advocating School Boards throughout the region, the need for School Breakfast Programs. They have been active on the food stamp issue and a lot of other things.

So, at this time I'd like to introduce Joni Rabinowitz.

Ms. Rabinowitz:

In case you're wondering where Medford is, it's where Tufts University is.

The Medford Declaration came out of a concern by some people at Tufts at the Center on

Hunger, Poverty and Nutrition Policy, to put forth a proposal before the public that would be similar to the Bilogio Declaration from 1989 that came out of Italy which basically was focused on ending world hunger. This particular declaration is focused on ending hunger in the United States and it basically has two basic focuses.

Some of the ones on economic issues, long term issues, as Jim mentioned, and also of course the ones making the existing anti-hunger programs, the food stamps and the WIC program and the school meals programs enough for people to be able to have enough to eat.

We hope that the Medford Declaration is being circulated nationally right now. So far it has 2,000 national sponsors around the country and will be released at a gigantic press conference on April 6th in Washington, D.C. It's expected that it will become the hunger equivalent of the Surgeon General's goals on health, a standard by which we as a nation express our goal, commitment and intention to end this man-made problem of hunger.

So, we have basically two programs. We have the anti-hunger programs, beefing those up. And we have the economic programs making people more self-sufficient, helping people have better access to jobs, and making sure that people who are working are moved out of poverty which is a very, very big task for us because, as I'm sure we know, many people who still work full-time are still living below the poverty line and we need to be sure to address that.

In terms of three specific issues that we'd like to call your attention to which are going on right now, first of all, at the national level there's a bill, the Micky Leland Bill, which is in Congress right now and which is trying to make food stamps more accessible to more people. And we hope that you will be able to join our efforts.

There are quite a large number of co-sponsors of this bill in Congress and it's been moving through Congress fairly quickly and we hope to have your support and we'll provide more information to you soon. Support the Micky Leland Bill which is the major anti-hunger bill in Congress right this minute.

Secondly, there is a bill in the State government, as part of the State budget process, to increase the State Food Purchase Program which is money that goes to the food banks. And again, we've been meeting with the people in Harrisburg. We met with Dwight Evans' staff person last week; he's the Chairman of the House Appropriations Committee in Harrisburg and he is very interested in being sure that there be some more money in the program that goes to the food banks out of the State budget this year.

Finally, I wanted to second some of the remarks that Jim made about the Food Policy Commission in Pittsburgh. For those of you who are new on Council, this City Council passed and adopted several years ago a Food Policy Commission which then became the Mayor's Food Policy Commission and its goal is to improve people's access to food.

The Commission has been in existence for about a year and a half now and it's been working on a number of different issues. Bob O'Connor has been real active in the Commission and Jim Ferlo and his office has also been active in the Commission. We've been working on such issues as shuttle service. Maybe you saw the information about the shuttle that runs from Northview Heights to the Giant Eagle on the North Side. That's a program of the Commission. And City Council passed in this present budget additional funds, \$45,000, to replicate some of those shuttles from other public housing communities throughout the City so that we hope that within the next couple of years every public housing community in the City, or most of the

large ones anyway, will be able to have a service which provides people access from their homes down to a convenient supermarket and, most especially, the capacity to carry all their bags home back to their houses because one of the problems with the bus service when they're running is that people have a lot of grocery bags and they can't really carry them on the buses.

So, that shuttle service which Bob O'Connor's office has been a very active participant in, has been a very big light in the City.

And the other thing that City Council passed this year which we want to thank you for is to increase the Community Development Block Grant funds that go to the food pantries. There's now \$185,000, thanks to your efforts, which is going to food pantries in the City of Pittsburgh through the request by the Food Policy Commission. And we hope that those cooperative efforts between the community and between City Council and between the Mayor's Office will continue to grow. And we hope that the Food Policy Commission, whose charter ends in October, we hope that they will be continued after October because there are some very -- The mercantile tax is something that Jim's office has been working on to try to see whether there's some way that mom and pop stores in the communities can have a tax break in order to stay open and be able to serve the people in the communities.

There's a lot of things going on. There's a lot of ways in which Council has been real supportive, and we want to thank you for your support today and for your continued support.

Mr. Ferlo:

I do want to thank Joni, in particular, and Just Harvest. When Council began to fund, through the Hunger Trust Fund, the food pantries

in this City, Council legitimately raised the issue of what is the County doing. Something we continually say, Mr. Wagner, to his credit, during the grants and donations process.

I do want to report, and I think Joni can correct me if I'm wrong, that due to the advocacy efforts of Just Harvest, for the first time, and the last couple of years in particular, the Allegheny County Commissioners have utilized part of the Community Development Block Grant fund to allocate dollars to food pantries. I think this year alone it was increased to -

Ms. Rabinowitz:

\$200,000 in Community Development funds and \$57,000 from the Pittsburgh bank.

Mr. Ferio:

So, \$257,000 and I just want to thank them also for that work.

The Chair:

Thank you.

Mr. Milliones:

May I ask Professor Dennis Brutus to come forward, please. And may I ask also that Charles Kendall, a long-time anti-apartheid freedom fighter, in fact, the first that I knew of in Pittsburgh to raise the South African question. And perhaps at the appropriate time we can honor Mr. Kendall.

Mr. Milliones presents

No. 470 WHEREAS, Dennis Brutus was born in Harare, Zimbabwe on November 29, 1924, earned a Junior and Senior Certificate from Paterson High School in South Africa and was awarded a Municipal Merit Scholarship. He also

earned a B.A. degree in English and Psychology with distinction from Fort Hare University in 1947, and studied law at Witwatersrand University, Johannesburg, and taught Afrikanna and English in South Africa for 14 years; and

WHEREAS, an outspoken Dennis Brutus, brutally shot in the back while escaping from Johannesburg during an anti-apartheid protest, his poetry depicting his sufferings and those of other Black South Africans, led to an 18 month term as a political prisoner in South Africa; and

WHEREAS, this incarceration not only took away his freedom for 18 months, but stripped him of his teaching responsibilities, restricted him from attending social functions and participating in political activities, and forced him to abandon law studies at the University of Witwatersrand. In addition, his writings were illegal and banned from publication; and

WHEREAS, Dennis Brutus, exiled from South Africa in 1966, moved to England and, in 1971, to the United States where he taught various subjects at several prestigious colleges and universities including the University of Denver, the University of Texas, Dartmouth College, and Swarthmore College. He is currently on sabbatical from the University of Pittsburgh in the Department of Black Community Education Research and Development and once served as its chairperson; and

WHEREAS, Dennis Brutus is the recipient of three honorary doctorate degrees: Doctorates of Humane Letters from Worcester State College, Worcester, Massachusetts (1982) and the University of Massachusetts at Amherst (1985), and an Honorary Doctor of Laws Degree from Northeastern University in Boston (1990). For his poetry, scholarship, and participation in various organizations, he was

awarded the Freedom Writer's Award (1975), the Award for Academic Excellence from the Illinois Council for Black Studies (1982), the Steve Biko Award (1985), the Langston Hughes Medallion Award (1986), and the Paul Robeson Award for Artistic Excellence, Political Consciousness, and Integrity (1989).

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh recognizes and honors Dennis Brutus for his courage, political activism, persistence, and steadfastness against apartheid, as well as his academic and civic achievements, and declares Tuesday, March 17, 1992 "Dennis Brutus Day" in the City of Pittsburgh.

Mr. Milliones moved to adopt the resolution.

Mr. Ricciardi seconded the motion.

Which motion prevailed.

Mr. Milliones:

Indeed it's an honor to have Dennis here and to honor him. As you know, Pittsburgh, with the help of Council was very much involved in the anti-apartheid struggle and passed a sanctions prohibitions against doing business with South Africa.

Dennis has been with Black studies, as I indicated earlier, for a number of years and has contributed to the anti-apartheid movement in ways that can actually go unmeasured. So, it's indeed a pleasure to have him here.

Standing beside Dennis, also, is Charles Kendall, as I indicated earlier, who with the NAACP back in the late 50's and early 60's was the first person who raised, to my knowledge, the first person who raised the question of apartheid in South Africa.

I'd like to have Dennis say a few words.

Professor Brutus:

Thank you to the City Council of Pittsburgh and to my good friend, Counselor Jake Milliones. I'm grateful for this honor but, of course, I feel it is not only for me but for all those who have been engage in the struggle against apartheid and against racism. And, as Jake has just pointed out, the City of Pittsburgh was active in taking a stand against any collaboration with the apartheid regime in South Africa.

This is an important occasion in more than one sense. Some of you, I'm sure, are aware that today in South Africa a vital decision is being taken in terms of a referendum which will either decide that we move forward to a democracy, which we are not yet, or we'll retreat from that democracy into the Dark Ages of racism and apartheid. So, it seems to me a wonderful coincidence that I should be here being honored as a South African and, in my name, other South Africans as well should be honored.

I want to thank you very sincerely for what has been done. I hope we can look forward to even more efforts to fight racism in Africa and in the United States in the future. There is still much that has to be done and I want to pledge my own cooperation and my assistance as far as I am able in that struggle.

I will leave for London today for a Conference on African Literature and later, in April, I will be going back to South Africa, however turbulent it might be. I've been invited back as a visiting professor in the Department of English at the University for a short period and then return to Pittsburgh after that.

So, I look forward to continuing the work, continuing the struggle, and I thank you, ladies and gentlemen of the City Council of

Pittsburgh, for the honor you have conferred on me. Thank you.

Michelle Madoff:

As the remaining Councilmember who voted on both of those bills, one was the consulate here and our displeasure with what was happening in South Africa, which is an understatement, what can we as a body do right now to make sure that vote goes the humane way? You have the audience. You have the media, you're on television; what can we do? Who shall we send letters to, who shall we send telegrams to, supporting humanity in the correct form?

Professor Brutus:

As you know, South Africa is about seven hours ahead, so people have almost concluded their voting for today in this referendum.

I think what is important perhaps is simply for City Council to pass the resolution expressing its support, as indeed you have through me. But you might want to do a general one through those in South Africa, White and Black, who have taken a stand against racism and in favor of democracy. I think such a message would be very important.

Michelle Madoff:

Who should we send it to?

Professor Brutus:

I would send it to the current President, the Head of State, Mr. DeKlerk. I would also send it to other organizations in the liberation movement, and perhaps specifically to the most important organization which is the engine for moving the country forward. It's called the

Convention For A Democratic South Africa. We abbreviate it to CODESA and I will be able to give you an address in Johannesburg in which it can be sent.

Michelle Madoff:

Dr. Milliones will, I'm sure, do a fabulous job of doing that.

The Chair:

Thank you very much.

Mr. Milliones presents

No. 471 WHEREAS, Mary A. Walker, a Hill District native, graduated from Schenley High School and enlisted in the United States Army where she served for three years; and

WHEREAS, Mary A. Walker is a member of the military, political, business and financial organizations which include the Disabled American Veterans, the Black Women's Political Crusade, the Pennsylvania Association of Notaries, the Pittsburgh Chapter of Credit Unions and the National Federation of Community Development Credit Unions. She is also actively involved in the following community organizations: the Hill District Chamber of Commerce, the No. 2 Police Citizen's Council, and the Hill District Task Force; and

WHEREAS, Mary A. Walker has been the manager and treasurer of the Hill District Federal Credit Union since October 15, 1970, when it received its charter from the federal government under the National Credit Union Administration. This financial institution, during her tenure, was first located at 1919 Centre Avenue, moved to the Hill District Citizens Development Corporation building in 1976, and in search of a better facility, moved to its current

location at 2021 Centre Avenue in 1981; and

WHEREAS, on the 20th anniversary of the Hill District Federal Credit Union, celebrated on October 15, 1990, its Board of Directors decided to honor Mary A. Walker for her hard work and dedication to the institution that encourages low and moderate income members to save, spend wisely, and establish good credit by naming the Hill District Credit Union Building, a completed project of the URA's Streetface Program, the "Mary A. Walker Building" in her honor.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh recognizes Mary A. Walker, the catalyst of the Hill District Federal Credit Union, for leadership and distinguished service which has contributed to its success and role as a viable institution in the Hill District community, and declares Tuesday, March 17, 1992 as "Mary A. Walker Day" in the City of Pittsburgh.

Mr. Milliones moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Ferlo:

Mr. President, I have been friends with Mary Walker for at least 20 years. I want to thank Dr. Milliones for introducing a proclamation renaming the building and giving Mary Walker some of her just desserts.

This is a great lady. She single-handedly has helped the Hill District Credit Union stay in existence since the early period in the 60's when it first came about.

But I think in addition to the proclamation, I would ask as part of it that we

send a letter to the Administration to once again make a request. The best way to help out the Credit Union is for the City to deposit some of our assets, if it's possible, in the Credit Union to really give it some of the assistance that it badly needs. And I think no just honor would better commend Mary Walker for her leadership role than the City to act as a partner and to help in any way that financial institution in the community.

Mr. O'Connor:

Top of the morning to all of you. And Happy St. Patrick's Day.

What could be more appropriate than for an Irishman to read a resolution to the University of Pittsburgh Greek Week.

Mr. O'Connor presents

No. 472 WHEREAS, the University of Pittsburgh's Greek community, comprised of twenty-two fraternities and fifteen sororities, 1900 men and women strong, has contributed greatly to the well being of our community and has provided a positive experience for countless university students over the years; and

WHEREAS, the University of Pittsburgh's Greeks have, through their dedication and hard work, raised thousands of dollars for charitable organizations such as Special Olympics, St. Francis Hospital's Courage To Come Back Campaign, Spina Bifida and United Cerebral Palsy to name but a few; and

WHEREAS, the University of Pittsburgh Greeks will celebrate "Greek Week" from March 19, 1992 through March 29, 1992 with a series of events designed to promote and enhance the Greek community's relationships among themselves and the residents of the City of Pittsburgh. Greek Week highlights the themes that govern their purpose: education, leadership,

scholastic recognition, intra-group cooperation, interaction with the academic and local community service endeavors.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh acknowledges and commends the University of Pittsburgh's Greek community for its outstanding public service to the citizens of the City of Pittsburgh and, furthermore, we wish them a successful and happy "Greek Week"; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh proclaims March 19, 1992 through March 29, 1992 as "Greek Week" in the City of Pittsburgh.

Mr. O'Connor moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. O'Connor:

I have been fortunate over the last ten years to be Co-Chairman and very active in Greek Week. When we started ten years ago, we were raising \$25,000, and for the last three years they've gone over \$100,000 for local charities.

Considering all the problems we have in the City, I think it's a tribute and an inspiration to all young people and all citizens in the City to look up to these people and see what they actually do. I'm very proud to have them here and I'm very proud to be associated with them.

Mr. Rosenthal:

I am Jeff Rosenthal, the Events Chairman for Greek Week. Pretty much what we do is, as Councilman O'Connor said, we raise money. But we also donate about 3,000 units of blood to the Central Blood Bank and the Pitt

Greeks is the second highest donor next to Westinghouse in the City of Pittsburgh. We also have a series of events like a chariot race, a dance marathon, fun and games, things like that. It's a lot of fun. Thank you.

Mr. Sadler:

My name is Rege Sadler and I'm the overall Chairman for Greek Week. Not only do we raise money and blood for various areas of Pittsburgh, but we also volunteer our time. We spend a lot of time with the clients of United Cerebral Palsy and this has been a really great experience for both sides of the story.

To show our appreciation to the City Council of Pittsburgh, we'd like to give all the Members a tee shirt, a Greek Week tee shirt.

Thank you very much for the chance to get up here and say a few words.

The Chair:

Thank you all very much.

Mr. Onorato presents

No. 473 WHEREAS, the Slovak Civic Federation of Allegheny County maintains its principal place of business and conducts its principal activities in the City of Pittsburgh; and

WHEREAS, the Slovak Civic Federation of Allegheny County is an organization that assists other institutions whose activities and purposes are to aid community projects that help the elderly and the needy; and

WHEREAS, the Slovak Civic Federation of Allegheny County donates to churches and other religious organizations; and

WHEREAS, the Slovak Civic Federation

of Allegheny County aids its members to promote good will and civic duty; and

WHEREAS, the Slovak Civic Federation of Allegheny County desires to operate certain small games of chance and/or conduct raffles to generate funds to finance its operations and to further its purpose.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby declares the Slovak Civic Federation of Allegheny County a civic organization within the context of the Pennsylvania Small Games of Chance legislation.

Mr. Onorato moved to adopt the resolution.

Michelle Madoff seconded the motion.

Which motion prevailed.

Mr. Darkins presented

No. 443 Resolution granting unto John T. Quinlan, 1320 Virginia Avenue, Pittsburgh, PA 15211, owner of a building at 3701 Thirty-Seventh Street, his successors and assigns, the privilege and license to construct, maintain and use at his own cost and expense, a fire escape and balcony in and over a portion of the sidewalk of Thirty-Seventh Street in the 6th Ward, 7th Voting District of the City of Pittsburgh. Mr. Quinlan, owner of said property at 3701 Thirty-Seventh Street, has been instructed to provide a second exit in case of an emergency.

Also,

No. 444 Resolution granting unto the Pannier Corporation, 207 Sandusky Street, Pittsburgh, PA 15212, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense,

two (2) sidewalks in portions of the right of way of Cajou and Vulcan Ways in the 23rd Ward, 1st Voting District of the City of Pittsburgh. This request is made by the Pannier Corp. that due to the reconstruction of their Pannier Building the two (2) sidewalks are necessary for the safety of their clientele as well as their employees.

Also,

No. 445 Resolution providing for a Contract or Contracts, or the use of existing Contracts for public sidewalk construction at various locations within the City of Pittsburgh, at a cost not to exceed \$50,000.00, chargeable to and payable from Code Account 3-01-30-0045-92, Public Property Sidewalk Program.

Also,

No. 446 Resolution providing for a Contract or Contracts, or the use of existing Contracts for the rental and repair of equipment in connection with the City of Pittsburgh's Capital Construction Division, at a cost not to exceed \$310,000.00, chargeable to and payable from Code Account 3-01-35-0001-92, Capital Construction Division.

Also,

No. 447 Resolution providing for a Contract or Contracts, or the use of existing Contracts for flexible beam guiderails at various locations within the City of Pittsburgh, at a cost not to exceed \$50,000.00, chargeable to and payable from Code Account 3-01-30-0020-92, Flexible Beam Guiderails.

Which were severally read and referred to the Committee on Public Works.

Mr. Ferlo presented

No. 448 An Ordinance amending and

supplementing Ordinance No. 44, approved December 12, 1991, entitled: "Amending the Pittsburgh Code, Title Four - Public Places and Property, Article I - Street and Sidewalks Chapter by increasing and establishing new fees;" by decreasing Item No. 10 Dumpsters, and Section 2. ---**(SPONSORED BY MR. FERLO, MR. RICCIARDI, MR. ONORATO, MR. DARKINS & MR. O'CONNOR)**

Which was read and referred to the Committee on Public Works.

Also,

No. 449 Resolution transferring the amount of \$8,000.00 from Code Account 1838 (183806), Misc. Services, Dept. of Parks and Recreation to Code Account 1103 (110304) Misc. Services, Dept. of City Planning. ---**(SPONSORED BY MR. FERLO)**

Which was read and referred to the Committee on Finance.

Also,

No. 450 Resolution providing for an Agreement or Agreements with the Highland Park Community Club for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh, at a cost not to exceed \$8,000.00, chargeable to and payable from Code Account 1103, Misc. Services, Dept. of City Planning. ---**(SPONSORED BY MR. FERLO)**

Which was read and referred to the Committee on Planning, Housing and Development.

Mr. Ferlo moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Cohen seconded the motion.

Which motion prevailed.

Michelle Madoff presented

No. 451 Resolution providing for the issuance of a warrant in favor of Public Strategies, Inc., One Bigelow Square, Suite 616, Pittsburgh, PA 15219, in the amount of \$1,000.00 in payment for professional consulting services rendered to Councilwoman Michelle Madoff for the month of March 1992, chargeable to and payable from Code Account 1001-2, Salaries, Wages and Services of Council, As Needed, (Index Code 100123), City Council, Council District #2).

---**(SPONSORED BY MICHELLE MADOFF)**

Which was read and referred to the Committee on Finance.

Mr. Milliones presented

No. 452 Resolution authorizing and directing the Mayor to issue and the City Controller to countersign a warrant in the amount of \$4,456.02 to the Commonwealth of Pennsylvania representing the initial payment required for unclaimed funds for the year 1984 pursuant to the provisions of the Deposition of Abandoned and Unclaimed Property Act, Act of August 9, 1971, P.L. 74.

Also,

No. 453 Resolution authorizing and directing the Mayor to issue and the City Controller to countersign a warrant in the amount of \$10,363.94 to the Commonwealth of Pennsylvania representing the initial payment required for unclaimed funds for the year 1983 pursuant to the provisions of the Deposition of

Abandoned and Unclaimed Property Act, Act of August 9, 1971, P.L. 74.

Which were read and referred to the Committee on Finance.

Mr. Millones moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Ricciardi seconded the motion.

Which motion prevailed.

Also,

No. 454 Resolution providing for the issuance of a \$872.50 warrant in favor of Michael J. Kearney for property damage resulting from a sewer line backup which occurred in August 1991 at 1 Cabin Street, payable from Code Account No. 46, Judgments.

Also,

No. 455 Resolution Repealing Res. No. 907, Item B, effective October 9, 1991, which authorized the sale of a two story, brick dwelling situated on a lot 19.78' x avg. 67.39' x 21.66' RR, located at 334 N. Atlantic Avenue, 10th Ward, designated as Block 50 G, Lot 38B, to William E. Taylor, for the sum of \$1,500.00, as the building must be razed because of deteriorating and dangerous conditions. (Council District #7)

Also,

No. 456 Resolution amending Res. No. 1288, Item E, eff. December 31, 1991 which authorized the sale of a vacant lot 30' x 135.4', known as 314 Sheridan Avenue, 11th Ward, Block 83 R, Lot 173 to Austin J. Richards Company, for the sum of \$1,000.00. The reason

for the amending resolution is to correct the lot size which currently reads 30' x 135.4' to read 30' x 134.5'. (Council District #9)

Also,

No. 457 Resolution amending Resolution No. 88, Item A, eff. February 21, 1992 which authorized the sale of a one story, brick veneer, bungalow, located at 1528 Rutherford Avenue, 19th Ward, Block 35 D, Lot 129 to Adriana M. Guidotti, for the sum of \$11,505.00. The reason for the amending resolution is to correct the Block and Lot number which currently reads 35-D-129 to read 35-B-129. (Council District #4)

Which were severally read and referred to the Committee on Finance.

The Chair presented

No. 458 An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, by providing a definition of "theater" under Chapter 903 and by including "theater" as a permitted use in the CP commercial district and the AP commercial/residential district. (All Council Districts)

---(SPONSORED BY MR. WAGNER)

Which was read and referred to the Committee on Planning, Housing and Development.

Mr. Millones moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Onorato seconded the motion.

Which motion prevailed.

Also,

No. 459 Resolution providing for the issuance of a warrant in favor of Mt. Lebanon Office Equipment Company (1817 Banksville Road, Pittsburgh, PA 15216) in the amount of \$2,697.00 for the purchase of office furniture for City Council, chargeable to and payable from Code Account 1001-1, Misc. Services, Supplies and Equipment, etc., (Index Code 100115).
—(SPONSORED BY MR. WAGNER)

Which was read and referred to the Committee on Finance.

Also,

No. 460 Communication from David Washington, Executive Director, Housing Authority of the City of Pittsburgh, submitting an alphabetical listing of the Housing Authority employees as of February 29, 1992.

Also,

No. 461 Petition from the residents of the Hill District, City of Pittsburgh, requesting a public hearing to discuss the rental units and the sale properties of The Crawford-Roberts Project.

Which were read, received and filed.

REPORTS OF COMMITTEES

Mr. Milliones presented

Bill No. 462

Report of the Committee on Finance for March 12, 1992 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 87

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of the Pittsburgh Symphony, in the amount of Thirty Five Thousand (\$35,000.00), in payment for services provided to the Department of Parks and Recreation, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 9

NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 352

A Resolution entitled, "Resolution transferring the amount of Thirty Three Thousand Four Hundred Forty Nine (\$33,449.00) Dollars from

Code Account 1612-4, Salt, Index code 161240
in Code Account LFT, Liquid Fuels Tax, Index
Code 260406, both accounts within the
Department of Public Works."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass
finally?"

The ayes and noes were taken agreeably
to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Millions	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council
being in the affirmative, the bill passed finally.

Also,

Bill No. 355

A Resolution entitled, "Resolution providing for
the issuance of a \$2,900.73 warrant in favor of
Michael and Sandra Tamiggi in settlement of
claim for property damage."

Which was read.

Also,

Bill No. 356

A Resolution entitled, "Resolution providing for
the issuance of a warrant in the sum of
\$20,000.00 to Seth J. and Stephanie G. Spaulding
and John P. Joyce, Esquire, 2200 Grant Building,
Pittsburgh, PA 15219 in full and final settlement
of an alleged accident involving a City vehicle
and the automobile belonging to Seth J. and
Stephanie G. Spaulding at Paulowna Street and
Herron Hill in the City of Pittsburgh on or about
August 6, 1986."

Which was read.

Also,

Bill No. 357

A Resolution entitled, "Resolution providing for
the issuance of a warrant in the sum of
\$30,000.00 to Alex Scott and John Gismondi,
Esquire, 606 Grant Building, Pittsburgh, PA
15219 in full and final settlement of an alleged
accident involving a fall on City steps at
Perrysville Avenue and Arch Street in the City of
Pittsburgh on or about April 24, 1989."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass
finally?"

The ayes and noes were taken agreeably
to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi

Michelle Madoff Mr. Wagner
Mr. Millions (Pres't)

AYES 9 NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 358

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Church of the Good Shepherd and the Shepherd Wellness Community, a non-profit organization, to provide bi-weekly dinners and other services for City residents."

Which was read.

Also,

Bill No. 359

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Miracle Temple Bibleway Church, to provide a word processing learning center for City residents."

Which was read.

Also,

Bill No. 360

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Pearlina Smith, d/b/a Teen Works, to provide a youth tutoring service for City residents."

Which was read.

Also,

Bill No. 361

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Black Vietnam Era Veterans of Western Pennsylvania, Inc., a non-profit organization, to provide referral and support services for City resident veterans and their families."

Which was read.

Also,

Bill No. 362

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties, acquired at tax sales in accordance with Act No. 171 of 1984, 'Second Class City Treasurer Sale and Collection Act', effective December 11, 1984."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably in law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Millions	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 402

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Public Strategies, Inc., One Bigelow Square, Suite 616, Pittsburgh, PA 15219, in the amount of \$1,600.00 in payment for professional consulting services rendered to Councilman Eugene Ricciardi for the month of March 1992."
---(SPONSORED BY MR. RICCIARDI)

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 9 NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 421

A Resolution entitled, "Resolution providing for the filing of an application with the U.S. Department of Justice for a grant in an amount not to exceed \$1.5 million in 'Operation Weed and Seed' funds for integrating law enforcement activities and social service programs in targeted high-crime neighborhoods; providing for the execution of grant contracts; creating a special trust fund in connection with the project; the deposit of the funds in a bank account and providing for the payment of expenses within categories."

Which was read.

Mr. Onorato:

Discussion on Bill No. 421, known as the Weed and Seed Bill. I just want to make a few comments.

First, I'd like my comments brought forward.

Also, I just want to again say that I think the bill is a great bill, and I think everyone on Council agrees. I think the Hill District will definitely benefit and I'm sure Councilman Milliones will oversee and make sure that happens.

I just want to make a procedural comment today. I had a concern that this didn't go through Public Safety and I didn't raise it on Wednesday and I want to meet with the Administration. I talked with Mr. Mistick and he feels, and we disagree, that this is more of a social service bill, but I feel that it is a Public Safety bill. As you can tell by the discussion on Wednesday, we had Director Cannon, the Commander, the Department of Justice representative, and I think a person from Budget. So, it's definitely a Department of Public Safety issue, just by who

we had a talk with about the bill.

I would like to ask you, Mr. President, to make note of the Home Rule Charter, Article 2, under the Executive Branch, Section 204, which talks about the Mayor's power, letter F. "The Mayor has the power to submit proposed legislation to any Member of Council." And rightfully so, she put it through Councilman Milliones and I have no problem with that.

At the same time, under Article 3, the Powers of Council President, which is vested in you, Mr. President, by the nine Members sitting here, "A) The President has the power to refer all proposed legislation to the proper committee." I respect that we have a strong Mayor government, but at the same time, the Home Rule Charter establishes City Council in established committees and I chair Public Safety.

I'm not going to ask to stop this bill because it's too important. But I will say, in the future, any bill that comes up, especially when we're going to waive Rule 8, I am going to ask you, with your power as President, to make sure that any Public Safety bill goes through the Committee on Public Safety.

Councilman Milliones did inform me of the bill the day before the discussion. It has nothing to do with Mr. Milliones. This is a question I have with the Administration that I respect their position and I hope that they respect our position in the Committees that we chair.

The Chair:

I agree with you, Councilman Onorato. It should have come through your Committee and I would ask that you be the person that oversees it, the implementation of it in the Public Safety end of it. There are other aspects in the bill because it is a Weed and Seed bill, and obviously there is a targeted area in Councilman Milliones'

neighborhood. But, at the very least, it should have been suggested as a co-sponsor, if not your piece of legislation coming out of your committee.

Mr. Onorato:

I appreciate it, Mr. President.

Just one final comment. When I heard about the bill when it was introduced on Tuesday, and they wanted to waive Rule 8, when you waive Rule 8, I would hope that I would have some discussion prior to a day before, and that's why I was concerned too.

Mr. Ferlo:

Mr. President, on the issue itself. I'm voting in favor of the application to receive these monies under the Weed and Seed Program, \$1.5 million. In principle, I think any additional resources that we bring into the City from the Federal Government, either for direct police activity support or the hoped for monies under this grant for some of the social service community kinds of expenditures under the program, I'm certainly for and I applaud the effort of the Administration and others to seek funding.

My only two reservations about this program, and I stated them last week and I want them for the record, and the two fears that I have, one is that I'm skeptical still on the issue of police manpower within the various zones. That's already been depleted because of four officers being transferred to the 911 system. I understand Director Cannon when he says that he'll just be paying overtime, but I guess I'm still skeptical and fearful that his targeted effort, which I support, I hope I will support it without it draining any additional officers from any of the zones. This is an issue that you, Mr. Wagner, brought up also.

I guess I'm still skeptical on that and I hope that we monitor, through the Chairman, Mr. Onorato, and others, that we monitor the effect of this program when its implemented and how the manpower issue will be addressed to meet the goals and the objectives of the grant. I guess I'm still skeptical on the issue that it's not going to draw from other police officers through other zones.

Secondly, I still think we have fundamentally the problem of displacement. We displaced, through a concentrated effort, the impact squads, what have you. We displaced maybe the activity at Aaron and Wylie, but I would be willing to be under this grant that the activity of on-street drug trafficking, what have you, will be transported down the street to in and around the liquor store on Fifth Avenue or back out on Rosecrest or Rosetta in Homewood, or back out to Sharp's Bar in Lawrenceville. I'm just fearful that whatever we do we still have to have a comprehensive approach as it relates to on-street drug activity. And it's nice to have a concentrated effort at Aaron and Wylie, which I support, but I just hope that we have enough of a complement and a strategy devised to deal with where it gets displaced.

As far as I'm concerned, we keep kidding ourselves, the public and everybody else, on this so-called war on drugs and I think it's time that we begin to talk about who is actually winning the war on drugs, whether actually we're even in a battle to win the war on drugs with the resources. I think we don't have the battle. I don't think we are waging a war on drugs, and I'm just becoming more and more fearful, almost to the level of analyzing the prohibition period in the 20's, where a lot of people's lives are going to be at stake, and certainly the lives of police officers. In five years we're going to have decriminalization drugs in this society and we're going to begin to ask ourselves what the hell was it all for back in the 70's and the 80's and the 90's. But I guess I

have some reservations about the program.

Michelle Madoff:

I don't want to repeat everything that I said the other day so I'll ask that my comments be brought forward.

I echo the sentiments of my colleague, Mr. Ferlo. Throwing money at a problem is helpful sometimes because you can do some creative, innovative things. But if you don't have a will, there's an old expression I use, "When a fish stinks, it stinks from the head."

We have got to get some leadership that is going to shut down these crack houses and not shift the burden to another community. We need the courts to get involved. As you know, you're going to have a hearing on that subject. I had called for that hearing and hopefully we'll have some creative ideas.

But the point, I guess, that I really want to focus in on is that it isn't acceptable to me for ten or fifteen years to sit here and have the Administration say, "But we can't close down those crack houses because they're not in violation. They're the property of somebody that owns it." Darn it. Pass the legislation that says if you operate this kind of entity on your property, that we take the property. There's got to be a solution to this. We can't just say we don't want to violate somebody's rights. It's my right and all the children's rights in the City and the crime that's perpetrated when we allow those crack houses to exist. I don't care whose property they are.

That's the kind of thing we better start looking at, and fast.

Mr. Ricciardi:

Mr. President, I have some disagreement with my colleagues. I really, sincerely, believe

that the drug war is winnable, and that's the reason I'm supporting this piece of legislation. It's winnable if we address the demand side of it.

I think this piece of legislation, the important component, is the social service programs, and that is what I'm very supportive of because I don't want to just displace these drug dealers to other parts of the neighborhood. I think we have to go in there with an alternative, with solutions, and bring back the value system. I just think the drug war can be winnable but we really have to address the demand side of it.

I think Mr. Milliones, I'm sure, has had many conversations with the Administration concerning this legislation and I'm in full support of it. Thank you.

The Chair:

I agree.

Mr. Milliones:

Mr. President, I'd just like to say that if any of my peers have any specific suggestions about how to deal with this problem, I would gladly listen and work with them relative to their thinking. I just think there's enough rhetoric about this problem and I suspect that we need less talk and more work. So, if anyone has any specific comments or suggestions about what should be done and how it should be done, I would gladly listen to those suggestions.

The Chair:

I think we should really be commending the Administration on this bill and hopefully we'll get the dollars, the additional \$1.5 million. And if it wasn't for the flaw in the Committee, I think it would really be a 100 percent excellent proposal.

I'd like my comments brought forward on

this bill and I would ask that the Administration give us an update periodically on the progress if, in fact, we do receive the monies.

(REMARKS ON FOLLOWING PAGES)

(BEGINNING - MESSRS. ONORATO AND WAGNER AND MICHELLE MADOFF'S
COMMENTS ON BILL NO. 421, THURSDAY, MARCH 12, 1992)

Michelle Madoff:

There are some concerns I have. Obviously, any help we can get we'd be insane not to go for it so I can't imagine having to ask us for a vote. But it gives us a chance to expound on concerns that we all have in all of our districts and the one I have is that I think the police are really handicapped in that they're frustrated because they make the arrests. They know the same kids that are out on the streets, they bring them into court and they know who they are, it's the same kids over and over again and the courts let them out on the street because we don't have places to put the hardened criminals and we certainly don't have rehabilitation programs for the juvenile delinquent and we need to do things like getting their fingerprints or something like that. It's a serious problem that needs to be addressed and so I wonder, what are you going to do about the courts in this because it's all for not and they're right back on the street. Is that incorporated into this?

Dir. Cannon:

What Steve mentioned is that we're taking these cases federally to stop the revolving door effect that we see here by using the state courts.

Michelle Madoff:

I heard you clearly but I hope that there will be a lot of emphasis on that.

The last thing I want to mention and I don't want to throw cold water on all of this but I get my information like most people do from the newspapers and we found out that because of arbitration and the offer to pay our police officers who might retire 85 percent of their pensions, we're going to see a mass exodus from our police force, whether it's done over two months or one month or you spread it out and the way we are structured to hire classes, we're going to be in deep do-do. Not only have we lost four police officers as Mr. Ferlo said in each district because of the 911 but we're now going to lose something like 300 police officers and traditionally we lose 30 to 50 police officers in attrition every year. We're talking about an emergency. Has anyone addressed that emergency? Are we going to go out and hire trained police officers from other cities?

Dir. Cannon:

We're talking about what may be a potential situation because the story in the paper was based on something that really is prematurely in the public eye that is the subject of

the present police arbitration. There are proposals and counter proposals that are in front of the executive session of that process. What it comes out of that, maybe that or may not be that or may be something entirely but let me assure of you of something. If in fact there is an agreement to allow for an early retirement option or a window of opportunity, that it will be structured in such a way as to match the City's ability to bring new officers in as other officers retire. We would not ever agree to it to something that would allow 300 officers to walk out the door at one time; that would not happen.

Michelle Madoff:

How many police officers do we have officially?

Dir. Cannon:

1122.

Michelle Madoff:

On the street.

Dir. Cannon:

That is presently being tabulated.

Michelle Madoff:

And some of them are doing 911 now.

Dir. Cannon:

It's 24 of them doing 911 now.

Michelle Madoff:

How many do we have on the street?

Dir. Cannon:

That changes every day.

Michelle Madoff:

Give me a ballpark.

Dir. Cannon:

I can't, it changes. There are 1122 doing police work.

Michelle Madoff:

With the shifts and vacation?

Dir. Cannon:

That's exactly right.

Michelle Madoff:

Let's deal in the real world here. We don't have enough police officers on the street and we have never been able to train classes fast enough to ever have a full component and I've been here 14 years and I think maybe once we've got close to having a full component of police officers.

Dir. Cannon:

We are dealing with that and I told you that that's how it will be structured.

Mr. Onorato:

The community policing that's going to take place on the Hill, you probably said it and might have missed it, what officers will be doing the community policing?

Dir. Cannon:

We are going to be actually creating a group of officers to do that because these officers will have to be selected.

Mr. Onorato:

Who are they?

Dir. Cannon:

In the end they will be city police officers and as I said, we will be using Justice overtime dollars to do that initially until we get our staffing up to where it needs to be, but I don't want to delay the process while we work out the testing and the hiring to get our budgeted number of 1175.

Mr. Onorato:

I guess my question is, this \$1.5 million, will that go to training existing officers or bringing on new officers and additional officers?

Dir. Cannon:

The bringing on of new officers will be funded from the City's General Revenue as budgeted by Council. The money in the interim will be used for Premium Pay as well as training.

There needs to be a selection process for these officers so to do this type of policing which is entirely different than anything we do in Pittsburgh or we've ever done here, even including the old beat officers, this is different than that, it will require a selection process and then a training process and then these officers put in place. But to use existing resources we must guarantee that we don't harm any of the neighborhoods and to do that we will use Justice's money to hire overtime.

Mr. Onorato:

Director, you don't have to explain the community policing. Everyone here knows that's my issue and I pretty much know the ins and outs of the community policing and how it's being performed in other cities and it is more than just a beat officer.

I think my question though if \$1.5 million is going for premium pay and the selected officers you pick, that is freeing up some city dollars that we are currently paying these officers, will that be able to free up some money to hire new officers?

Dir. Cannon:

No, we are actually going to be doing something we are not doing. So it's not freeing up any money anyplace. It's going to support and allow us to do this extra work that we haven't been able to.

Mr. Onorato:

If we're going to do this and do something new with the officers we have, I hope the Administration brings on a whole new class so that we can put these officers in other parts of the neighborhood.

Dir. Cannon:

We are committed to staffing at the budgeted number of 1175. It would be more than one class to reach that number. The Mayor is committed to that. As soon as we have resolved -- as part of the hiring changing of the order and so forth, we are redoing our police entry examination entirely. We have to be absolutely certain there is no bias in any of the questions and so forth. Once that's done, we will move into hiring police officers.

Mr. Onorato:

I understand that and maybe I'm missing the point. You are telling me you are going to select some officers for this project, city officers. And if it's true community policing, it's going to take a substantial number of manpower to do this.

Dir. Cannon:

We're using this area as the first laboratory.

Mr. Onorato:

Are we going to have more officers on the Hill with this program than we have now?

Dir. Cannon:

Yes, you will.

Mr. Onorato:

So that means we're losing officers somewhere else.

Dir. Cannon:

No, you're not. We're hiring back officers through overtime.

Mr. Onorato:

I hope you coordinate this whole task force and you bring in the Housing Authority Police with you because there's a lot of public housing communities that need a lot of help which I think the displacement is going to go directly do.

Dir. Cannon:

We believe that as we start in the center area, there is a ripple effect that moves out in waves from this project and certainly one of the first areas will be the public housing neighborhoods that surround that area.

Mr. Wagner:

Mr. Kaufmann, I was going to ask a couple of questions. I think there needs to be a better explanation -- not that you haven't given a good one but really, when you get into the federal system, the difference as to what judges are hearing the cases, where the criminals end up versus a normal arrest here in the City of Pittsburgh.

Mr. Kaufmann:

The first step, as I have said, is the hearing on detention. Most of these people will be held in jail awaiting their trial.

In our system, unlike the local system, not to criticize that system but we have one Assistant United States Attorney assigned to the case from the start. As a matter of fact, we often work on cases one to two years, three years before the case is ever even charged, so we're very involved in the investigative phase as well as in the post charge phase. In addition to that, in the federal system there's one judge assigned to the case from the very start and that judge takes the case through and because of the federal Speedy Trial Act cases do not, there are exceptions but in a usual case, the time from the arrest to the trial is only three to four months, the sentencing then would be about six weeks later, so we're able to really have an impact without cases staying around for a year or two or the impact is lost. Typically, cases move fairly quickly. A person is arrested, held and then through a conviction sentenced within a period of less than six months and then of course they go to federal prison which could be various levels around the country. Many of our most serious offenders go to the U.S. Penitentiary in Lewisburg, Pennsylvania and places like that so we feel it's an effective system to address serious drug offenders.

Mr. Wagner:

The judges hearing the cases are different from the judges hearing most cases here locally; correct?

Mr. Kaufmann:

That's correct.

Mr. Wagner:

Where will the prisoners be held pre-detention period?

Mr. Kaufmann:

Right now because of the inability to hold federal prisoners in the Allegheny County Jail, the jails in outlying counties are holding our federal detainees with a large number of them held at a special unit at the federal correction institution in Morgantown, West Virginia.

Mr. Wagner:

Evidently in terms of sentencing your prisons are not as crowded as our local County jails and our state penitentiary.

Mr. Kaufmann:

I think there is a problem federally of course but it's not of the very, very serious nature that most local counties are facing. The federal government is building new facilities all the time. As a matter of fact, there's some new facilities being in the central part of Pennsylvania right now.

Mr. Wagner:

Thank you. Director, I'm glad you commented on where the officers will come from. First off I think this is a great program, it's a great idea but we cannot take officers from zones any longer and we have depleted our zones. My two zones in my district are operating at embarrassing low levels of police officers and I'm very concerned about that today and we cannot have any programs that take any officers out of the zones and if that happens I know I am going to be publicly commenting and I'm going to be very irritated and I'm sure my colleagues will also because we have hit levels where six officers are reporting for an entire zone and we can't live with that any longer. So, I'm glad you stated that and we're going to hold you to that.

Dir. Cannon:

That is fine.

Mr. Wagner:

Because it's a situation of great concern I believe to every member of this Council.

Also, and I don't want to get into a discussion about it but I really think we need to sit down with Councilman Onorato and talk about this whole hiring process of police officers. I'm extremely uncomfortable with the Administration's comments yesterday in the newspaper. If we were to lose 200 police officers we would be in an extremely embarrassing situation in this city and I've never been comfortable with the Administration's aggressive posture to hiring first and foremost officers that are veterans from other communities that have experience as police officers. I'm not comfortable with the proposal that has been put forth so far. I don't think it is aggressive enough and I don't think it goes after people that have experience that we can have hit the floor running as police officers and that's been our problem traditionally in the city and it's still our problem today and we have to focus in on that and I'm not comfortable with the proposal that it addresses that concern.

Dir. Cannon:

You are aware though that in an emergency the City has the right under the Civil Service laws to hire exactly those kind of officers that you were describing.

Mr. Wagner:

Well, you better do that because we're facing that.

Dir. Cannon:

Just so you are aware then, should we have 100 or 200 or something, there is a process that allows to do that.

Mr. Wagner:

You better make that move because when I have a zone with 10 or 12 neighborhoods in it and there's one serious incident in it and all the officers go to that incident and 10 and 11 neighborhoods are not covered, I'm concerned and that's basically what's happening today so if I were you I'd take a good hard look at it.

With that I want to compliment though. I'm talking about this program. I want to compliment everyone that has been involved. I remember being at a news conference with Councilman Milliones and Councilman Darkins and Councilman Ferlo in the Hill District with Senator Specter and U.S. Attorney Corbett and the Mayor and many, many other people last April and it's not too often that an idea that is proposed at a news conference comes to fruition. That truly was a idea at the time, it's an idea that we have a grand opportunity to capitalize on and we certainly should do that. This is really a comprehensive crime strategy where you have local government working with state government, working with federal government to address the serious problem of narcotics in the City of Pittsburgh and certainly in a targeted area. I would hope that this program will be effective there. First off, we will get the monies and it will be effective and will be able to apply to other targeted areas around the City of Pittsburgh and for that matter around the region. If we can do that we can send a message that needs to be sent about narcotics here in the City of Pittsburgh, so I commend all of you but certainly I want to follow-up with some kind of a meeting and I'll discuss this with Councilman Onorato. I'm very concerned that we need officers, period. Thank you.

Mr. Onorato:

One clarification. Director, when I referred to the public housing communities, I wasn't just referring to the ones on the Hill because as you know that spills over to all of the public housing communities and it isn't just the Hill.

I do agree with you that the Housing Authority, they just don't have the numbers and the officers to do this but I disagree with you when you say that we're in those neighborhoods because I don't think our police have the numbers either. And I have been in and out of Northview Heights in my district and I saw two deals go down this week and we just don't have the numbers on the police force either so we're not there. Nobody is really in there the way we should be.

Dir. Cannon:

You qualified it because I can certainly show you the reports that we are there and the arrests we make in those neighborhoods.

(END OF COMMENTS)

PREPARED BY: MARY ANNE HRUSKA
STENOTYPE REPORTER

Also,

Bill No. 431

A Resolution entitled, "Resolution that the Director of Finance, on behalf of the City of Pittsburgh, is hereby authorized and directed to, within ten (10) days of final passage of this resolution, begin a survey of property subject to the City Real Estate Tax in the City of Pittsburgh."

---(SPONSORED BY MR. RICCIARDI)
(AS AMENDED IN COMMITTEE)

Which was read.

The Chair:

I would like to ask for a period update, maybe every 30 or 60 days, on Councilman Ricciardi's bill on the study of the Property tax because, obviously, that will evolve towards budget time and I think it's important that Council be kept abreast of what the Administration is doing in regard to that study. Thank you.

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Darkins presented

Bill No. 463

Report of the Committee on Public Works for March 12, 1992 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 353

A Resolution entitled, "Resolution providing for a Contract or Contracts, or the use of existing Contracts for the design, lease purchase and installation of high pressure sodium street lighting for the Department of Public Works, for a period not to exceed five (5) years; and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Cohen presented

Bill No. 464

Report of the Committee on Planning, Housing and Development for March 12, 1992 transmitting one ordinance and sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 343

A Resolution entitled, "Resolution amending Bill No. 149, passed in Council February 18, 1992 (Resolution No.), entitled 'Providing for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Department of Housing & Urban Development for a grant in connection with the 1992 Community Development Block Grant Program,' so as to reduce the overall grant amount from \$18,556,000 to \$18,366,000."

Which was read.

Also,

Bill No. 344

A Resolution entitled, "Resolution providing for an Agreement or Agreements with various community organizations for operation/administrative expenses, maintenance, purchase of equipment; and/or minor rehabilitation of neighborhood facilities for the

benefit of residents of the City of Pittsburgh, at a cost not to exceed \$119,580, chargeable to and payable from Code Account 1103 (110304) Miscellaneous Services, Department of City Planning."

Which was read.

Also,

Bill No. 345

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 8th Ward of the City of Pittsburgh owned by Patricia Clyburn Berry a/k/a Patricia Clyburn Berry Smith, and designated as Block and Lot 50-S-82 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund."

Which was read.

Also,

Bill No. 346

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Development Authority of Pittsburgh and Carol R. Minnerly for the sale of Block 50-S Lot 82 in the 8th Ward of the City of Pittsburgh (REHAB)."

Which was read.

Also,

Bill No. 349

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 15th Ward of the City of Pittsburgh owned by Louis

W. DeGore and Elizabeth C. DeGore, and designated as Block and Lot 55-L-260 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund."

Which was read.

Also,

Bill No. 350

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Gerald H.F. Gardner and Joann Evansgardner for the sale of Block 55-L Lot 260 in the 15th Ward of the City of Pittsburgh (NEW CONSTRUCTION)."

Which was read.

Also,

Bill No. 351

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to condemn and acquire properties, under the Residential Land Reserve Fund, said properties having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 183

An Ordinance entitled, "An Ordinance establishing the Federal Street Business Improvement District, identifying the boundaries thereof, specifying the improvements to be undertaken, the costs and financing of the improvements the method of assessing benefited

properties, the method of payment of assessments and providing for a Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh."

Which was read.

Also,

Bill No. 184

A Resolution entitled, "Resolution authorizing a Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh ('URA'), designating URA as the City's agent for construction of the improvements in the Federal Street Business Improvement District and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 185

A Resolution entitled, "Resolution authorizing and directing the City Controller to create a special trust account, to be designated as the Federal Street Business Improvement District Trust Account, for the deposit of all payments received from assessments on benefited properties in the Federal Street Business Improvement District and authorizing payment of the monies deposited therein to the Urban Redevelopment Authority of Pittsburgh."

Which was read.

Also,

Bill No. 415

A Resolution entitled, "Resolution approving a Conditional Use Exception under Section 993.01(a)A(9) of the Pittsburgh Code, Title Nine,

Zoning, Article V, Chapter 993, as amended, to Duquesne University for authorization to construct a 700-car, six-level, open-type parking garage extension to the rear of an existing 748-car, eight-level parking garage located at 1000 Forbes Avenue, on property zoned 'I-C' Institutional-Civic District, 1st Ward."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably in law, and were:

Ayes:

Mr. Cohen	Mr. Onorato
Mr. Darkins	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. O'Connor	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also, with a NEGATIVE recommendation,

Bill No. 73

A Resolution entitled, "Resolution approving the recommendation of the Historic Review Commission to expand the Schenley Farms Historic District to include all that property located at 4423 Bigelow Boulevard designated as Block and Lot Number 27-L-212 and located in the 4th Ward, City of Pittsburgh, commonly referred to as the site of the Syria Mosque."

---(SPONSORED BY MR. FERLO)

Which was read.

Mr. Ferlo:

I'd like my comments brought forward on Bill 73.

(REMARKS ON FOLLOWING PAGES)

(BEGINNING - MR. FERLO'S COMMENTS ON BILL NO. 73, THURSDAY, MARCH 12, 1992)

Mr. Ferlo:

Mr. Chairman, I respectfully with the permission of Mr. Cohen who I talked to in advance of the meeting, would like to bring up to Council's consideration and put on the table Bill No. 73 which under Planning and Housing and Development. This is a bill I introduced regarding the historic district, the Syria Mosque site. The original motion and bill that I submitted is to make the Syria Mosque site in the 4th Ward an extension of the Schenley Farms Historic District and I respectfully would like to make a motion to approve for purposes of discussion.

Michelle Madoff:

Second.

Which motion prevailed.

Mr. Ferlo:

Is the bill on the table?

The Chair:

Yes.

Mr. Ferlo:

I would like to the City Solicitor to come to the table and Director Downing and I'll try to make this very brief.

Members of Council, I'm asking Councilmembers to vote no and to vote down this legislation. In light of what I feel is a very good agreement, a proposed settlement agreement with both the developer and in this case National Development Corporation and the University and Presby Health Systems.

Basically, I feel the agreement is an important agreement because we can have our cake and eat it too. We can avoid an unnecessary and unproductive legal battle with the University and also with National Development and really get on with building a quality building and in fact, building more quality buildings than previously allowed under the "IC" Zone.

The agreement which you have a copy of and I'd ask the Solicitor to briefly summarize it. Basically it would allow and require the developer and owner of the property to voluntarily assign themselves to the review process already spelled out in the Historic Review Commission's approval of the Oakland

Historic District guidelines, and it will require that any and all construction on the site during this five-year period would voluntarily assign themselves to this review process and more importantly that if there is any change of ownership, be it a new developer, be it Presby changing hands and giving it to the University or some other third party, that the covenants would be assigned to any new owners.

That's just a brief summary but again, I don't think this is the legal battle that I wanted to engage in regarding the site and if we can move ahead and get a building built and get what we want anyways even though it's not going to be legally designated during this time, I really think we should move on this agreement and concentrate on the rest of the Oakland Historic District.

I would just like to have Mary briefly comment on it.

Ms. Conturo:

You're right. Everything was distributed to you and it's pretty straightforward. The agreement is they would voluntarily submit to the process and the litigation would be dropped. I think it's a good settlement. The last thing that needs to be done is the title must be cleared and this legislation that is pending should be voted down so there's no question if there's anything pending against them.

Mr. Ferlo:

Mary, there was one concern on the part of many who read the agreement and that is sort of the legalese or the inference of the word "voluntary" as opposed to explicitly assigned themselves. As you know, I went back and forth and proposed 50 different versions of the word. To me, what the developer and the university they say they will go by this process and they will abide by it. I feel legally that the document does even go so far as to attach the actual guidelines and if a judge were to look at that, I believe that they would conclude that they indeed have committed themselves to go through this process. What is your view on that legally?

Ms. Conturo:

They have agreed that they will go through the process.

Mr. Ferlo:

Do you think we need to be hung up on the word "voluntary"?

Ms. Conturo:

I'm not sure of your focus here. They are not consenting to designation if that's what you're asking.

Mr. Ferlo:

Some feel that the word "voluntary", that they shall participate in a voluntary design review process with the HRC considering the design guidelines but that's to open a --

Ms. Conturo:

-- that's just to differentiate it from the case where they would have consented to designations. What they are saying is that they are voluntarily going to go through the process as if they were legally applying to do that.

Mr. Ferlo:

And you feel legally we have the ability to uphold this an agreement.

Ms. Conturo:

Yes.

Mr. Ferlo:

Thank you.

(END OF COMMENTS)

PREPARED BY: MARY ANNE HRUSKA
STENOTYPE REPORTER

Mr. Ferlo:

As I indicated last week, I'm asking my colleagues to vote no on the legislation. We did vote it down because basically we achieve the same purpose by a legal settlement, agreement with Presby and with the National Development Corporation. And rather than have an unproductive and lengthy legal battle for no purpose, we can have our cake and eat it too.

In this case we did achieve the purpose on the designation. The developer and the University have made a commitment to assign themselves to the same review process as if it were formally designated. So I think we should get on with it.

Mr. Cohen:

Mr. President, I had to leave early at Wednesday's Council Meeting because of a prior engagement, so I wasn't able to vote on this bill then. I will be voting no on this bill, as Councilman Ferlo has advised, and I just want to take a moment to congratulate Councilman Ferlo on all of the efforts that he has made to save the Syria Mosque and then to protect the property under which the former Syria Mosque lies. I think that Councilman Ferlo has really put in a great deal of time and effort and, even after the building was demolished, working with the people from Preservation Pittsburgh, National Development, and the Law Department to get this agreement done. I think this agreement is the best agreement that we can achieve, given our lack of legal leverage right now, and I think that Councilman Ferlo should be commended.

On a very closely related topic, just to inform everybody that the public hearing on the Oakland Civic Center is this afternoon at 2:00. So, that's something that I hope we can push for as well.

Michelle Madoff:

I'd just like to add my congratulations to Councilman Ferlo. This is the kind of interaction we need to see more of.

Mr. Ricciardi:

I would just like to say that I believe Mr. Ferlo's success in this matter demonstrates that development can happen in the neighborhood while still protecting the character of that neighborhood. And I think if we continue to pursue this, we can see that development can happen with preservation. It's not development versus preservation. And I think, as my colleagues have stated, Mr. Ferlo's efforts in protecting what's going to happen on that piece of property demonstrates all of this and I think he's done a great success for the City of Pittsburgh and especially the neighborhood there.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

VOTING NO:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Milliones	(Pres't)

AYES none

NOES 9

And a majority of the votes of Council not being in the affirmative, the bill was defeated.

Mr. Ferlo presented

Bill No. 465

Report of the Committee on General Services for March 12, 1992 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 388

A Resolution entitled, "Resolution providing for the letting of a Contract or Contracts, or the use of existing Contracts for fence Repairs for the Department of Parks and Recreation, payable from Code Account 3-10-10-1655-92, Index Code 810325, Fence Repairs, Department of Parks and Recreation, and for payment thereof."

Which was read.

Also,

Bill No. 389

A Resolution entitled, "Resolution providing for the letting of a Contract or Contracts, or the use of existing Contracts for asphalt repairs, for the Department of Parks and Recreation, payable from Code Account 3-10-10-0002-92, Index Code 810176, asphalt repairs, Department of Parks and Recreation, and for payment thereof."

Which was read.

Also,

Bill No. 390

A Resolution entitled, "Resolution providing for the letting of a Contract or Contracts, or the use of

existing Contracts for the installation of picnic shelters for the Department of Parks and Recreation, payable from Code Account 3-10-10-1640-92, Index Code 810275, erect pre fab non permit picnic shelters, Department of Parks and Recreation, and for payment thereof."

Which was read.

Also,

Bill No. 391

A Resolution entitled, "Resolution providing for the letting of a Contract or Contracts, or the use of existing Contracts for the installation of safety surface for the Department of Parks and Recreation, payable from Code Account 3-10-10-1710-92, Index Code 810424, play area safety improvements, Department of Parks and Recreation, and for payment thereof."

Which was read.

Also,

Bill No. 392

A Resolution entitled, "Resolution providing for the letting of a Contract or Contracts, or the use of existing Contracts for concrete repairs for the Department of Parks and Recreation, payable from Code Account 3-10-10-1700-92, Index Code 810374, concrete repairs to park facilities, Department of Parks and Recreation, and for payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Michelle Madoff	Mr. Ricciardi
Mr. Milliones	Mr. Wagner
	(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. O'Connor presented

Bill No. 466

Report of the Committee on Parks and Recreation for March 12, 1992 transmitting one ordinance and sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 322

An Ordinance entitled, "An Ordinance supplementing the Pittsburgh Code, Title One, 'Administrative', Article III, 'Organization', Chapter 139, 'Department of Parks and Recreation', by adding Section 139.03, 'Adopt-A-Park Volunteer Program,' authorizing the establishment of an Adopt-A-Park Volunteer Program within the City of Pittsburgh and providing for the implementation thereof."

Which was read.

Also,

Bill No. 363

A Resolution entitled, "Resolution amending Resolution No. 1116 of 1984 entitled 'Providing for the establishment of an Imprest Fund for the Pittsburgh Zoo in the amount of \$3,500.00' to increase the total amount and change the funding source."

Which was read.

Also,

Bill No. 364

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Stanton Heights Recreation Association, for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh; and providing for the payment thereof not to exceed Five Thousand (\$5,000.00) Dollars, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 365

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Afro American Heritage Parade Association, Inc., for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh; and providing for the payment of the cost thereof not to exceed One Thousand Five Hundred (\$1,500.00) Dollars, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 366

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Arsenal Board of Trade for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh; and providing for the payment of the cost thereof not to exceed Three Thousand Five Hundred (\$3,500.00) Dollars, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 367

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Western Pennsylvania Conservancy for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh; and providing for the payment of the cost thereof not to exceed Fifteen Thousand (\$15,000.00) Dollars, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 368

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Champions Association Inc. for the furnishing of professional services for the benefit of the

residents of the City of Pittsburgh; and providing for the payment of the cost thereof not to exceed Ten Thousand (\$10,000.00) Dollars, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 369

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Sharing and Caring for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh; and providing for the payment of the cost thereof not to exceed Seven Thousand (\$7,000.00) Dollars, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 370

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Greenfield Organization for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh; and providing for the payment of the cost thereof not to exceed Three Thousand (\$3,000.00) Dollars, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 371

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Saint Leo's Athletic Association, for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh; and providing for the payment of the cost thereof not to exceed One Thousand Three Hundred Fifty (\$1,350.00) Dollars, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 372

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the West End Elliott Athletic Association, for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh; and providing for the payment of the cost thereof not to exceed Three Thousand (\$3,000.00) Dollars, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 373

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the 15th Ward Chamber of Commerce, for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh; and providing for the payment of the cost thereof not to exceed Three Thousand (\$3,000.00) Dollars, chargeable to and payable from Code Account 1838

(183806) Miscellaneous Services, Recreation, in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 374

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Overbrook Community Council, for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh; and providing for the payment of the cost thereof not to exceed Five Hundred (\$500.00) Dollars, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 375

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the East Liberty Development Corporation, for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh; and providing for the payment of the cost thereof not to exceed Five Hundred (\$500.00) Dollars, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 376

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Beechview Community Council, for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh; and providing for the payment of the cost thereof not to exceed Five Thousand (\$5,000.00) Dollars, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 377

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Allegheny Trails Council, for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh; and providing for the payment of the cost thereof not to exceed Two Thousand (\$2,000.00) Dollars, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 378

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Federation of War Vets, for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh; and providing for the payment of the cost thereof not to exceed Five Thousand Three Hundred Twenty (\$5,320.00) Dollars, chargeable to and payable from Code Account

1838 (183806) Miscellaneous Services, Recreation, in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 379

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Greater North Side Athletic Association, for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh; and providing for the payment of the cost thereof not to exceed One Thousand Five Hundred (\$1,500.00) Dollars, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 380

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the City Theatre Inc. for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh; and providing for the payment of the cost thereof not to exceed Four Thousand (\$4,000.00) Dollars, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 381

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Bloomfield Citizens Council for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh; and providing for the payment of the cost thereof not to exceed Three Thousand (\$3,000.00) Dollars, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 382

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the George 'Dew' Brown Basketball League for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh; and providing for the payment of the cost thereof not to exceed Two Thousand (\$2,000.00) Dollars, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 383

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Uptown Little League for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh; and providing for the payment of the cost thereof not to exceed Five Thousand (\$5,000.00) Dollars, chargeable to and payable from Code Account 1838 (183806)

Miscellaneous Services, Recreation, in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 384

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Pittsburgh Trust for Cultural Resources for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh; and providing for the payment of the cost thereof not to exceed Six Thousand (\$6,000.00) Dollars, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 385

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Pittsburgh Summer Basketball League for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh; and providing for the payment of the cost thereof not to exceed Four Thousand (\$4,000.00) Dollars, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 386

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Pittsburgh

Dance Council for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh; and providing for the payment of the cost thereof not to exceed Two Thousand Five Hundred (\$2,500.00) Dollars, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 387

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Brashear Association for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh; and providing for the payment of the cost thereof not to exceed Ten Thousand (\$10,000.00) Dollars, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, in the Department of Parks and Recreation."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Michelle Madoff	Mr. Ricciardi
Mr. Milliones	Mr. Wagner
	(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Onorato presented

Bill No. 467

Report of the Committee on Public Safety for March 12, 1992 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 393

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Pittsburgh Mediation Center Inc. for professional services and providing for the payment thereof." (AS AMENDED IN COMMITTEE)

Which was read.

Also,

Bill No. 394

A Resolution entitled, "Resolution providing for an Agreement or Agreements with National Night Out for services for the residents of the City of Pittsburgh during 1992 and providing for the payment thereof."

Which was read.

Also,

Bill No. 395

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Zone 3 Public Safety Council for professional services and providing for the payment thereof."

Which was read.

Also,

Bill No. 396

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Legal Aid Society for professional services and providing for the payment thereof."

Which was read.

Also,

Bill No. 397

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Alpha House for professional services and providing for the payment thereof."

Which was read.

Also,

Bill No. 398

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Sickle Cell Society for professional services and providing for the payment thereof."

Which was read.

Also,

Bill No. 399

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Parental Stress Center for professional services and providing for the payment thereof."

Which was read.

Also,

Bill No. 400

A Resolution entitled, "Resolution authorizing the City to enter into an Agreement or Agreements with the Board of Public Education of the School District of Pittsburgh to provide Project D.A.R.E. to the Pittsburgh Public Schools, and providing for the deposit of any payments for services into the Project D.A.R.E. Trust Fund."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Michelle Madoff	Mr. Ricciardi
Mr. Millions	Mr. Wagner
	(Pres't)

AYES 8

NOES none

And a majority of the votes of Council

being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

Michelle Madoff:

There are two very important issues that I'd like to bring before Council. I'll start with the morning paper. I was aware that this was happening; I didn't know how far it had proceeded.

You may have read that Nationwide is being sued by two local agents. One of them is a representative in my district who has joined this class action suit. Their claim is that Nationwide Insurance, based in Columbus, Ohio, uses a formula that calculated premiums and lost payouts, called loss ratio, to get rid of agents in low income and high risk areas. In other words, they're red-lining Pennsylvania.

The lawsuit contends that Nationwide has violated Federal housing and civil rights laws by practices that are designed to eliminate some consumers as clients. These areas are targeted for red-lining and the illegal practice of deliberately avoiding business in certain areas, the lawsuit claims. Nationwide agents are advised to move their offices from those areas to discourage "less desirable business" but encouraged to locate in highly desirable areas which are primarily white upper-middle and middle class.

Fewer than two percent of the State's agents are minority and fewer are ten percent are women, the lawsuit contends, and there are 4,759 agents nationally who sell Nationwide Insurance.

We are up in arms in this Council, and Dan Cohen led the battle against a realtor who discriminated against minorities coming to his building, and that's an on-going lawsuit. That's local and targeted at one facility. This is really

horrendous, even by a factor of 1000.

I don't know what role this Council can play, but I just thought we ought to be watching this, we ought to have somebody in our Law Department checking on it, because I presume this is an off-shoot of Governor Casey's contention that we ought to get some kind of reasonable insurance; I'm not just quite sure. But I just wanted to bring it to my colleague's attention and hope that others on this Council will follow through and come up with some appropriate direction that we should be taking. If anybody has any ideas, I welcome them.

On another matter. On Sunday, May 17th through the 20th, in Orlando, Florida, there's going to be a national conference, the Renewable American Community Conference, Local Solutions To National Problems. I just want to read about three paragraphs of why I think our colleagues ought to think about going.

"The Expo Center, Orlando, Florida, will hold this conference and its a social equity in people. The renewed community depends upon extending quality of life to all its citizens by setting a human needs agenda making public health a civic concern, ensuring quality education for all our children, reducing crime and more.

Leadership in the new cities: Lasting solutions for communities require long-range management development in communities by promoting leadership from both the private and public sector, consensus, decision-making and regional involvement.

Job development - an economic amenity: Quality of life remains key to attracting new development. Job training, education, cultural planning, fostering the arts, local tourism and other ways to hone and market a community image.

Public-private partnerships for strategic action: How civic businesses and institutional leaders can join resources to build the community of our dreams. Ways to get the most from remaining federal funds and how to find others that are available. Non-profit benefit groups" and so on and so forth.

I'm not going to read you the whole agenda but I think if you look at it, I think you'll find that there are things that we need to think about or look at some creative new ways of taking on these issues.

Along with that, I distributed an article from The New York Times which a friend of mine was gracious enough to send to me. She sent it to me about a month ago and I finally got around to reading it. I'd just like to read a little bit of it to tell you why I think it's so important to look at this conference. It's call Government That Means Business.

In 1990, a company called Ace Federal Reporters, Inc. made a bid to the Federal Agency Regulatory Commission for the privilege of transcribing its hearings. For eight years, Ace had made whopping profits selling transcripts to hundreds of law firms that argue before the Commission. When the contract was re-bid, three of Ace's competitors offered to perform the services free, but Ace went them one better and offered to pay the Commission \$1.25 million.

The Commission turned down the offer. Officials explained that they just couldn't keep the money; they would have to turn it over to the United States Treasury and they would have had to hire a clerk to set up an account."

So, we're talking about over \$1 million being returned because somebody didn't know how to deal with it.

While this is a particularly glaring example, similar stories unfold every day of the year and we hear about monies that we've been getting from URA and Unspecified Local Options and Job Training that gets returned.

But here's one I would really like to talk about in a positive way which says, "Does it have to stay this way?"

"Consider Orlando, Florida, which organizes much of its work under Enterprise Funds. Agencies that have to generate their own revenue. Last year Orlando collected \$100 million in taxes but \$130 million in profits and fees.

Over the past decade, thanks to its Enterprise Funds and public authorities, Orlando has been able to build nearly \$2.5 million in facilities, an expanded airport, a new baseball team, and so on.

Orlando's crowning achievement is a new City Hall," and this is what I was focusing on, "which the City built without dipping into general revenues. Mayor Bill Frederick asked developers to compete for contracts in exchange for the right to build office towers next door. Rents from the towers will pay off the City's bond within 15 years and Orlando will get 20 percent of net rental proceeds from the office building over a set income level."

I just wanted to touch on the article. I hope that everybody will read it. I think this is the kind of idea that would inspire me to go to that meeting and I want to go on record that I'm going. And I would encourage the President of Council to come and I would hope that some other Members of Council - as long as we have a quorum here, we don't shut down and march into Georgia, as we were going to do the week I got to Council. Do you remember that? We were going to shut down Council. We don't want to eliminate

having a quorum.

But we all talk about a lack of leadership. We talk about creative financing. We talk about the economy and how bad things are. I think it's time we stopped talking and look for ways and suggestions that we can come back to the City.

For years in the former Councils where I was pooh-poohed every time I said anything, I talked about public-private partnerships in other cities where government had buildings and rented the space out and had income for years to come to offset the fact that we're losing money in our tax base.

I think that's an area that we ought to be looking at and I invite those of you who feel it's important to please come with me to Orlando on the 17th. I was going to go the week before because my daughter's there, for Mother's Day, but I'm waiting.

The Chair:

Thank you, Councilwoman Madoff.

Mr. Milliones:

On another matter, Mr. President. As you know, this body has expressed concern almost on a weekly basis about the Fort Pitt Bridge reconstruction and renovation and I would like to add my two cents worth. Would you communicate to Secretary Yerusalim that there is technology, which I'm sure he knows, that would permit the construction of a temporary bridge. These bridges can be put in place in a matter of days or several weeks. The cost would be somewhere between \$2.5 million to \$5.5 million, depending on whether the State would want to purchase or rent the bridges.

My point is that it seems to me that given that these structures are being used by the

Commonwealth in other parts of the State, that that should certainly be a consideration for what happens at the problem of shutting down the Fort Pitt Bridge, something that we are all very concerned about in terms of the economy of this City.

So, I would ask that you communicate that to the Secretary as a consideration with respect to the solution of this problem.

Mr. Cohen:

I'm glad to hear that because I think the State has been throwing out figures in the area of \$40 million to \$50 million to be able to construct a bridge.

I think the State simply hasn't shown the will to solve this problem and what Councilman Milliones is saying is that there are ways to solve this problem that aren't nearly as expensive as what the State is saying.

Of course, Council President Wagner, you've pushed this very hard with respect to the Wabash Tunnel. There is a way to relieve the potential chaos and the State simply hasn't shown the will. And until they do so, this is going to be a potential disaster.

Michelle Madoff:

I would like to ask my colleagues, is this the same thing the military does when they invade countries?

Mr. Milliones:

The technology was initially used by the military but it's something that's been available, manufactured in England for some time. They're used quite frequently across this country on a temporary basis and it seems to me that it's something that should be considered.

Michelle Madoff:

My thought was that if tanks can go across them, our automobiles and buses can go across them. And I would suggest that we point out the obvious and I certainly support Dr. Milliones.

The Chair:

Councilman Milliones, I'm glad you brought the issue up. I was part of a meeting Friday with Secretary Yerusalim who was in town and met with the Downtown business people. It was requested to him directly by everyone at the meeting that a permanent bridge be put up and the Wabash Tunnel be put and use in the first leg of the Busway be completed prior to the shutdown of the Fort Pitt Bridge and Tunnel.

What Mr. Yerusalim indicated was that he was a believer that the tunnel could be put back in use. He was uncertain whether or not a new bridge could be completed but it was his intent to hold off on the Fort Pitt Bridge and Tunnel Project as long as possible in hopes of having a permanent solution in place. That was a positive signal that he gave us at the meeting.

Now, anything in addition to that that could be done, I think certainly should be pursued. But, hopefully, we can have a permanent structure in place so that when this Fort Pitt Bridge and Tunnel work is completed, not only do we have what is there today, we have something plus what's there today, which really is our goal with the new Airport opening.

So, we will throw another idea at them.

Mr. Milliones:

I think it's a problem that is solvable but I

think the solution to that problem can only come with the insistence of those of us who were elected to serve the City.

The Chair:

Thank you.

Mr. O'Connor:

I have two matters that I'd like to bring to the attention of Council.

One is really a School Board matter that happened last week and I think it involves all of us because the excellence of our public schools promotes people to move to the City. I can attest; I have a child in the second grade and I'm very pleased with the Pittsburgh Public Schools. It overall affects us in our tax base.

I would just like to commend Dr. Wallace in his meeting last week. There's a lot of concern in my area about the Scholars Program and he put on hold, at least through next year, any changes in that program. But he is going to have a study with different groups and I understand from the past that there wasn't enough representation of parents on these groups. I would like to urge him to make sure there are parents on it, possibly somebody from government such as Mr. Milliones here who I know has a lot of experience in that field, because we all have a vested interest in our public schools and I think we want to make sure they do the right thing in that area.

The second thing I'd like to bring up is that I have received quite a few phone calls in recent days concerning the driver's license of truck drivers. This affects actually five departments: General Service, Engineering and Construction, Parks, Public Works and Water.

It seems to me that federal law that we talked about with the garbage problem, I think it

looks like Harrisburg's problem. One person who called me yesterday passed his test, he did all his paperwork in September, and he's still waiting for his paperwork to come back from Harrisburg. Now, the Administration, at least his foreman, told him that if you don't have your proper I.D. by April 1st, you can no longer work for the City of Pittsburgh, which is outrageous to hurt these truck drivers who have done their part and it looks like Harrisburg is dropping the ball.

I would like to call a post agenda with these directors to see what they're doing to protect our employees.

The Chair:

Whatever day and time you would like to do that and however we can assist you in that effort, let us know.

Mr. Cohen:

I think it's a good idea to have an update about all of the refuse collection problems because we had a post agenda recently. We were told at the post agenda that all of these drivers would be recertified who weren't, and I think it's a good idea to bring them back together and see what the situation is. I think that was the main problem for not having garbage pick up.

Mr. O'Connor:

This is not a garbage problem; this is just Harrisburg's problem of not giving these guys their license. They've done their work and it's just a matter of paperwork.

Mr. Cohen:

I see. So it includes all truck drivers for the City.

Mr. O'Connor:

All drivers. I've gotten calls from three different departments, the drivers, who I know or somebody who told them to call me. They have done their paperwork, they passed their test, and Harrisburg is not doing the paperwork. It's a federal law so they haven't been able to process them fast enough. And if it's their fault, I don't think our drivers should be penalized.

Mr. Cohen:

It would be good if at all possible to get a representative from the State here to our post agenda.

Mr. Darkins:

I have received some calls to the same effect and I have talked with our Director of the Department of Public Works because it was involving some of the drivers in the Department of Highways and Sewers. We had a messenger to go Harrisburg from one of the Legislators offices here, Representative's office, and were able to bring these drivers licenses back. I think it is something that should be discussed with other Directors within the Departments.

I think Mr. O'Connor is right on this and we should have a post agenda.

The Chair:

Thank you.

Mr. Onorato:

On a different issue, Mr. President. In today's Post Gazette you might have read, and if not I'll bring it to your attention now, but Penn Hill Council has voted to connect to the Alcosan Sanitary Authority. As everyone knows, or if you don't know, Alcosan's facility is located on

the North Side and there has been a problem probably over the last 30 years of the smell.

Mr. President, I know you're on the Board. I know you're very concerned with this issue and you have addressed it several times. But the problem we have now in the system we have is when the smell rises there's an emergency call, a number that the people call and supposedly they change the chemicals to adjust the smell. But that just isn't working. We have a few senior high-rises where the windows cannot open in the summer. That's how bad the smell is.

My concern is, as the Alcosan facility expands and brings in more communities within the County, that the smell has to increase. This has to come in front of Council, I see in the article. I would hope that we can deal with the County to come up with the money and with a plan to finally address this problem once and for all because I'm told there are engineering ways to remove the smell either with a higher stack for the smell to go higher in the air, or with different chemicals.

Sometimes they say we just don't have the money to do a lot of these. But I noticed in this article that Alcosan committed to \$3.1 million to help connect Penn Hills. Before we start spending public tax dollars, I think that issue has to be addressed because I would say at least two-thirds of the North Side is affected by the smell. It is an extreme problem and it is getting worse.

Michelle Madoff:

In 1969 when I founded GASP, they were referred to as Alcostench. Recently I went to a hearing the Commissioners had in the Gold Room to address finally getting around to resolving the problem by putting in an incinerator. I pointed out at the time that even if they go to incineration, which will get rid of some of the odorous problems, they're still going to have a problem unless they use something like

cryogenics which is a way of using a freezing process to get rid of some of the odors.

I think what we need to have is an update, you're absolutely right, Mr. Onorato, before we vote to take on more effluent. We need to find out what status we have in odor elimination.

There has been a commitment of millions of dollars to indeed address that and the person you might want to call is Mr. Wise of Alcosan. It would be a very simple matter to make a call and find out what the status is on the plant that it's supposed to clean it up, and ask what kind of impact it will have on the community as far as percentage of odors it will cut back.

And you're right, the control system has always been nasal. The monitoring is done by if you smell it, you call. And the previous Alcosan Boards, if somebody screamed loud enough guess what they did? They gave either their son or somebody a job on the Board. They got a job working for Alcosan. You sell out your neighborhood for a job.

So, we need to really start addressing this issue from some hardcore action which is we don't take on more until you can solve the problem. And they need this extra effluent to cut down on the cost of running Alcosan. So, you're on to something.

The Chair:

I'm compelled to comment and respond to this because I'm on the Board and I want you to know that since I've been on the Board of Alcosan for three and a half years I've had two points of focus; to correct the traditional sewage problem of the Saw Mill Run Basin where sewage has backed up into homes and buildings for decades; and also to correct the stench problem on the North Side.

I have made that an issue at just about every meeting at Alcosan and the record will reflect that. Alcosan has committed, as a result, in excess of \$10 million in expenditures to correct the stench problem. \$5 million has been spent and is in place. The additional monies are presently being spent and there is a construction project in place with a new incinerator being constructed at Alcosan. These additional measures, though, take at least two years in terms of construction and implementation.

Alcosan is in the process of permanently correcting that problem. The problem is that it can't be done overnight because it has been neglected for years by previous Boards and previous management of Alcosan.

The issue of Penn Hills and the hook up fee, if you may have read in the newspaper, was not \$2 million; it was \$6 million. Under the previous scenario at Alcosan, they would have been able to hook up to Alcosan for \$2 million. Because of my insistence and a change in the resolution at Alcosan, we are causing municipalities to pay more to pay for the capital investment of previous years of Alcosan and to pay for additional measures that will be necessary to make the plant function better so that it does not harm the North Side neighborhoods.

Alcosan, I believe, today is working better than it ever did. Councilwoman Madoff referred to employees and the hiring practices at Alcosan. I'll further state, because you stated it, that I am involved in at least three lawsuits as a Boardmember for the removal of certain people that worked for Alcosan.

I believe that Alcosan finally has its act together and is working to permanently correct the stench problem. The problem is that it can't be done overnight but it will be done and we are committed to doing it.

Mr. Onorato:

Thank you, Mr. President, and I appreciate your efforts. Maybe what we have to do now is I'll call a meeting in the neighborhoods and invite you over to give an update because I think a lot of people just aren't informed.

The Chair:

Okay, and I would like to invite Council or people from the neighborhood to go with me on a tour to see what is happening there in terms of the construction projects in progress presently to correct this problem.

Michelle Madoff:

May I add something to that. I agree with you and I have been a supporter of what's going on right now. People are worried about incineration but it's the lesser of the two evils right at this point when it's done properly and I'd like to think that this is a well-designed plan.

But I would keep in mind when it's all done - some of us may not be here; we're getting older - and we want to think about additional technology and I think you ought to look at cryogenics. I mentioned it at the hearing as an add-on to the process if it doesn't completely eliminate the odors.

I'd like to talk about one other item. When I mentioned this conference in Orlando, I want to point out in case anybody is listening that I have been here almost 14-1/2 years and I think I have been on one trip, one and a half trips. One was the co-conversion and the other one I got sick and never did go. So, I'm not one to take junkets and I don't push for people to go to meetings.

But I would like to see three or four people from this Council go, particularly the President and the Finance Chairman and

whoever else would like to go, myself, and set up a meeting with the Mayor of Orlando in advance because obviously the leadership in this community is not doing creative kinds of things. Here's a chance for us to learn first-hand what we can bring back and maybe with six votes we can get things moving.

The Chair:

I'd like to end with a complimentary note to the Neighborhoods For Living Center. I don't know how many of you attended the Homes Show, but they had an excellent booth titled "Back To The City" where they are truly initiating a real marketing effort to show people

how cost effective it is to live in the City of Pittsburgh. I'd like to compliment them and the numerous volunteers from all over the City that were involved for a week and a half activity to initiate that program.

Michelle Madoff moved to approve the Minutes of Tuesday, February 25, 1992.

Mr. Onorato seconded the motion.

Which motion prevailed.

And on the motion of **Mr. Onorato**

Council adjourned.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXVI

Tuesday, March 24, 1992

No. 12

Municipal Record

ONE-HUNDRED TWENTY-SEVENTH COUNCIL

JACK WAGNER President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER.... Asst. City Clerk

Pittsburgh, PA
Tuesday, March 24, 1992

PRESENT:

MR. COHEN	MR. O'CONNOR
MR. DARKINS	MR. ONORATO
MR. FERLO	MR. RICCIARDI
MICHELLE MADOFF	MR. WAGNER
MR. MILLIONES	(Pres't)

The Meeting was opened by the recitation of the Pledge of Allegiance to the Flag of the United States of America, and a moment of silent prayer for peace throughout the world.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Cohen:

Good morning, Members of Council and everyone in the audience. If Mr. Orlando "Scats" Scatena, his wife and friends, could come up here, I would appreciate it.

Mr. Cohen and Mr. Ferlo present

No. 508 WHEREAS, Orlando "Scats" Scatena was born in 1933 in the neighborhood of Bloomfield, was raised there, and has continued to live in Bloomfield his entire life; and

WHEREAS, Mr. Scatena attended the Pittsburgh Public Schools, namely Andrews, Woolslair, Schenley and Connelly, graduating in the Class of 1951; and

WHEREAS, Mr. Scatena married Norma Jean Borelli in 1960 and together with Norma has raised their daughter, Valerie; and

WHEREAS, Mr. Scatena's first job was with the Schrieber Trucking Company, and since that first job has advanced to become a successful and civic-minded businessman in Bloomfield; and

WHEREAS, Mr. Scatena has served the Bloomfield Business Association for over six years in the capacities of Executive Board Member, Vice President and, for the past two years, as President; and

WHEREAS, President of the Bloomfield Business Association, Mr. Scatena has been instrumental in developing the Holiday Lights/Light Up Night Program and the Street Face Program; has organized Bloomfield clean up programs; has worked to address the parking shortage in Bloomfield; and has begun a successful promotion program to promote Bloomfield Business called, "Rediscover Bloomfield; Where Business Is Friendly And Tradition Counts".

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh commends Mr. Scatena for his service to the Bloomfield community, and congratulates him upon the completion of his tenure as President of the Bloomfield Business Association.

Mr. Cohen moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Cohen:

Thank you, Members of Council. Councilman Ferlo and I have introduced this, Scats, to you and to your family and to your friends. We have a number of friends who are here today. We also have the current President of the Bloomfield Business Association, Paul Sievert.

Scats, it's been an honor, it really has, to work with you and to get to know you and your family. I think people forget sometimes that you're a volunteer when you work as the President of a civic group or a business group like the Bloomfield Business Association. And you have put in so many hours to help the business community but also to help Bloomfield and

ultimately the City of Pittsburgh, that Jim and I both felt that it was important to give you this honor and to congratulate you on your tenure as President of the Business Association. So, congratulations to you and your family.

Mr. Ferlo:

I can only echo Councilman Cohen's expression of support for a great guy. I had hesitations about co-sponsoring this because the word "retirement" was in there.

Scats, I don't think you know this, but you're not going too far. Let's not take this retirement issue too seriously. The fact of the matter is, you may no longer be the President but BBA and a lot of other people in Bloomfield rely heavily on you. So, I'm sure retirement is not in the strict sense of the word. We need you.

In the brief time that I've been in City Council and working in the Bloomfield community, I've never met somebody like Scats who has basically a boundless sense of energy. We've worked on all kinds of projects for Councilman Cohen. He has a great Board of Directors and a lot of very dedicated people.

We always talk about Pittsburgh being a great City and being a great City because of great people and I guess if we had a choice of a few more statues around town, I'd like to have a statue of people like Scats.

Mr. Scatena:

Thank you very much. I'm overwhelmed, actually. It's always nice to be recognized for whatever one does, but especially when you are recognized by these folks that you live with every day and work with and love.

I want to thank the BBA Board, some of them being here, for an exceptional two years.

They were wonderful. All of my crazy ideas they worked hard to get through.

I also want to thank my wife who has to rearrange dinner many times.

And, of course, I want to thank the two Councilmen that work with the Bloomfield community and also the rest of the Council. But Dan and Jim have never failed to return a phone call and that's very much appreciated.

We are going to continue to be a good community. Bloomfield is an excellent community but, as with every community, it does need to be nurtured and fertilized.

We just want the Council to know that we appreciate what they do for us and our Councilmen and the Administration. When we've asked for folks to come on out to Bloomfield and help us out, the Mayor and her people have been very, very good for us, and we appreciate that.

All I would like to say is that when Bloomfield's name is mentioned around the Council, we would hope that you would pay attention. Thank you.

Michelle Madoff:

Don't we always pay attention? I've been doing it the longest.

Mr. Darkins presents

No. 509 WHEREAS, more than 11,000 people have died as a result of apartheid violence since 1984, over half of them since Nelson Mandela was released from prison in 1990; and

WHEREAS, human rights organizations report that most of the violence is caused by organizations that appear to be independent but

that receive government funding and training, such as the Inkatha Party, which receives \$700 million a year from the South African government and for whom South African Defense Force built a military training camp; and

WHEREAS, negotiations on the future of South Africa that began in December are undermined by continuing state-sponsored attacks on leaders of the African National Congress (ANC), trade unions, and religious institutions; and

WHEREAS, despite optimism surrounding the new negotiation process, the parties remain far apart, with ANC favoring an interim government composed of all races for an 18 month transition period to democratic rule, and the DeKlerk government insisting that any changes be put to a national referendum and receive the support of a majority of White voters; and

WHEREAS, the Bush Administration condemns violence, yet continues to support the DeKlerk regime and therefore the Inkatha Party; and

WHEREAS, the Africa Fund is launching a national campaign to stop apartheid violence and has asked for support from all quarters.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh supports Stop Apartheid's Violence Campaign of the New York Base Africa Fund along with the Pittsburgh Branch NAACP, the Ecumenical Urban Ministries and the Community of Reconciliation Church; and

BE IT FURTHER RESOLVED, that the residents of the City of Pittsburgh are encouraged to attend "Strike a Light for Peaceful Change in South Africa" by participating in a candlelight

prayer vigil starting at 7:00 p.m. Saturday, March 28, 1992 at the Bellefield Church Tower.

Mr. Darkins moved to adopt the resolution.

Mr. Ricciardi seconded the motion.

Which motion prevailed.

Mr. Darkins:

I have Dr. Favaloni here today to receive this.

Dr. Favaloni:

I'd like to take this opportunity to thank City Council for adopt this resolution on behalf of our campaign.

We are very concerned about the continued violence in South Africa at this time. We are also very concerned that the violence is being encouraged and supported by the U.S. government.

We are having a prayer vigil because we want people to come together. We mainly have contacted a great number of churches in the area and we're asking people to come together to pray for peace in South Africa and pray for a peaceful transition. I'd like to invite any of you who are interested to come out, bring a candle, on March 28th at 7:00 p.m. We're going to be at the Bellefield Church Tower on Bellefield and Fifth Avenue in Oakland. Then we're going to go inside of the Church after we kick off the prayer vigil and we're going to have a prayer service for peace in South Africa. Thank you.

Reverend Falta:

Church people have always had the responsibility and obligation to cry out against injustice and oppression. If the Church is silent,

then who shall sound the trumpet?

I am reminded of the analogy of Desmond Tutu who talks about the image of a mouse with an elephant standing over it and its foot about to come down on the mouse. The Church stands on the side saying, "We're going to be neutral." And Desmond Tutu says, "If you don't intervene and you're the mouse looking at that Church saying, 'We're going to be neutral', it doesn't look neutral to the mouse."

So, we at Ecumenical Urban Ministries and the Community of Reconciliation are honored and privileged to join our voices in speaking out against violence which continues in South Africa even to this day. I think there is a complacency on the part especially of White America at this point because of the referendum which was passed last week to think that peaceful change is taking place. That is not the case. We need to continue to work and pray and lend our voices.

On behalf of Ecumenical Urban Ministries and the Community of Reconciliation, I would like to thank City Council for its endorsement.

Mr. Darkins:

Would Mrs. Lois Drafts come forward, please?

Mr. President and Members of Council, I'd like to bring to your attention today that throughout the United States this is Women's Month and with our great illustrious Michelle Madoff who is our only woman on City Council and who I have declared as being the First Lady of Council, I thought that it would be an honorable thing that we would honor women throughout the City of Pittsburgh and I'm sure that this would add to Michelle in letting her know that we're not being biased as colleagues on

Council, that we do honor women of such decor.

Mr. Darkins presents

No. 510 WHEREAS, Lois M. Drafts has been honored and recognized as a determined woman who challenges boundaries; and

WHEREAS, Lois M. Drafts has generously given her time and energy to establish and preserve the rights of others; and

WHEREAS, Lois M. Drafts' advocacy for mankind's rights has spanned for more than two decades; and

WHEREAS, Lois M. Drafts presently holds the position of Field Liaison with Partnerships in Education Open Doors Program; and

WHEREAS, Lois M. Drafts' human relations skills have been utilized by the Pittsburgh Foundation, Job Corps, Pittsburgh Board of Education, and Pittsburgh New Futures; and

WHEREAS, Lois M. Drafts is a member of the Pennsylvania State Board of Vocational Education, serves on the Advisory Board of Pittsburgh Recovery Center, is Financial Secretary for Alleghenyans, L.T.D. Inc., and is past Vice-President of Stanton Heights Civic Association Board of Directors; and

WHEREAS, Lois M. Drafts is an active participant at Central Baptist Church, serving on the Tutoring Committee, is Bookkeeper for television contributions and Audio Operator for the Church's television station; and

WHEREAS, the WPCBW Leadership Conference honored Lois M. Drafts at their second annual "Gathering of Women" reception. She received ACCAC Homewood-Brushton

Branch Outstanding Civic Achievement Award. She also initiated the college's first student government body and was recognized as Who's Who Among Students in America Junior Colleges; and

WHEREAS, Lois M. Drafts was the first African American woman to earn a B.A. degree in Sociology/Anthropology from Carlow Hill College.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh salutes Lois M. Drafts as a woman who defined and created arenas that responded to the diverse needs of mankind.

Mr. Darkins moved to adopt the resolution.

Michelle Madoff seconded the motion.

Which motion prevailed.

Ms. Drafts:

I'd like to thank Councilman Darkins. I'd like to thank City Council for this resolution. I am humbled.

I'd like to thank my three daughters who are not here. I've gotten a late start in life because it took me nine years to get this degree and in that nine years I helped put three daughters through school.

I repeat, I am very humbled. I think there's so much I have to do because I got a late start. So, there are many mountains to climb and many valleys to go down, and many mountains to go up again.

I want to thank you very much for this recognition. I hope it motivates me to do what I have to do for my African American community in particular, and our community at large. The

key word for us is "partnership" to survive. Thank you.

Mr. Darkins:

I would ask that Elizabeth Ann Haley come forward. And, Dr. Haley, would you come up with your wife?

Michelle, this is a great month all over the world. Women's month. National.

Michelle Madoff:

We've known that for years, we women.

Mr. Darkins presents

No. 511 WHEREAS, Elizabeth Ann Haley is known nationally ■ a woman who is committed to nourish and develop the minds of youth and adults; and

WHEREAS, for fourteen years Elizabeth Ann Haley taught English at Schenley High School's Teacher Center, serving as the Center's lead clinical resident instructor and exposing teachers to techniques designed to increase learning and achievement in the classroom; and

WHEREAS, for five years Elizabeth Ann Haley served as Chairperson for the school's English Department and under her leadership assisted the Department in raising students CAT test scores from eleventh place to second place in the district; and

WHEREAS, Elizabeth Ann Haley was the only teacher from the Pittsburgh Public Schools chosen ■ participate on ASCD's, a Washington D.C. based educational team, charged with the responsibility to design education for the year 2000; and

WHEREAS, Elizabeth Ann Haley has

remained Director of the Spartan Classics, a four year old school within a school program designed to serve ninth grade students at risk; and

WHEREAS, in 1991 the New Pittsburgh Courier featured Elizabeth Ann Haley in their back to school section and in 1980 she was voted Schenley High School's Outstanding Teacher; and

WHEREAS, Elizabeth Ann Haley is a member of the Southwestern PA Regional Lead Teacher Center Governing Board, the Urban League, NAACP, Club 21, The Links, Inc., Delta Sigma Theta Sorority Scholarship Committee, Vice-President of the Board of Directors of Kingsley Association, NEED and a member of the Pierians Art Group; and

WHEREAS, Elizabeth Ann Haley is a member of the Board of Trustees at Wesley Center AME Zion Church, ■ former Sunday School teacher and director of youth; and

WHEREAS, Elizabeth Ann Haley earned her bachelor and masters degree from the University of Pittsburgh and is certified as ■ Reading Specialist; and

WHEREAS, Elizabeth Ann Haley is the wife of Dr. Leon L. Haley and mother of Dr. Leon L. Haley, Jr., Loren Haley and Lisa R. Haley.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh recognizes Elizabeth Ann Haley ■ an outstanding woman who gives unconditionally to uplift and position minds to reach beyond expectations.

Mr. Darkins moved to adopt the resolution.

Michelle Madoff seconded the motion.

Which motion prevailed.

Ms. Haley:

I would certainly like to thank Councilman Darkins and City Council for this resolution.

I accept this on behalf of all of my students and my colleagues who have given me much support. There is much to be done in the City of Pittsburgh and I'm proud to announce that as the Director of my program we've just received a grant from the Pittsburgh Foundation to serve you who need our services. And I always ask City Council's support in whatever we have to do.

I'd also like to thank my husband, my mother, my cousin and my three children who could not be here with me this morning. Thank you.

Mr. Darkins:

We're going to ask Melony McGants to come forward.

Thank you very much, colleagues and President of Council, for being so kind and indulging. I know what protocol calls for but because of the circumstances existing and this is Women's Month all over the world, I just can't help it. They're precious and, men, what would we do without our women. So, I thank you today for your indulgence. I don't know what we'd do without Michelle.

Michelle Madoff:

Neither do I.

Mr. Darkins presents

No. 512 WHEREAS, Vietnam Era Veteran, Melony McGants, is known as a woman with flair and a gift for creating the unusual; and

WHEREAS, her work and story ideas have appeared in such publications as The Wall Street Journal, The Washington Post, New York Times, The L.A. Times, Black Enterprise, Urban Profile and The Minority Business Journal and The New Pittsburgh Courier; and

WHEREAS, in 1991, Melony McGants' vision to create an agency that reflected a zest for life, an appreciation of the unusual and a non-traditional approach to creative projects was no longer just a dream; and

WHEREAS, on July 1, 1991 Melony McGant and Stephan Broadus opened McGant Broadus Inc., a minority-owned and operated full-service marketing, advertising and public relations firm; and

WHEREAS, from the start, McGant Broadus quickly earned the reputation for being a creative firm that captures and develops the expectations of their clients; and

WHEREAS, McGant Broadus has produced winning works for Peoples Natural Gas, Robert Morris College, NAACP, Hill House Association, SSM Industries, Inc. and many other profit and non-profit organizations.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh congratulates McGant Broadus for pursuing their ambition to reach for and not permit adversity to hinder their goal to be entrepreneurs in the City of Pittsburgh.

Mr. Darkins moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Ms. McGants:

I'm excited. I'm always excited. It's great to be here today. I'm thrilled. I'm thrilled because I stand in the shadow of women like Ann Haley or Mrs. King or Lois Drafts or Michelle Madoff or Betty Tillman who is my mother and unable to be here today, that we know of as the Africa Lady.

I'm thrilled because all of you are being patient while I babble on. But especially I'm thrilled because Mina Tarpei who presently is our Business Manager is a Liberian and 24 years old and has grown up cross-culturally as, an international person, and is an important member of our team. And Stephan Broadus adds our nuts and bolts, you know, just kind of the stability we need for creative people.

I'm a native Pittsburgher, spent a lot of time in New York, ergo my hat and my different appearance, and I'm back. Together, many of us and all of you who are out there supporting us are helping us take the City by storm. Thank you.

Mr. Ferlo:

I'd like representatives of the Save Our Cities - Save Our Children Coalition to come forward. I see a lot of steelworkers coming up here.

Mr. Ferlo presents

No. 513 WHEREAS, the U.S. Conference of Mayors and the National League of Cities has called for a rally in Washington, D.C. on Saturday, May 16, 1992 to communicate the urgent need to place America's cities and children back on the national agenda; and

WHEREAS, the "Save Our Cities - Save Our Children" rally has also been endorsed by a broad-based coalition of national organizations, including the Catholic Archdiocese Justice and

Peace Commission, The Children's Health Fund, The Episcopal Church, Gray Panthers, NAACP, National Neighborhood Coalition, among others; and has been endorsed locally by the Thomas Merton Center, Alliance for Progressive Action, National Council of Senior Citizens, and the Steelworkers Organization of Active Retirees (SOAR), among others; and

WHEREAS, the crisis facing Pittsburgh and other cities has deepened, making it impossible to fully provide the basic services essential to the health and safety of our citizens; and

WHEREAS, one out of every five children in our country experiences hunger; millions are without health care; homelessness and hunger are rampant; crime and violence have increased; unemployment is now almost 12 million; millions are underemployed in low wage and no benefit jobs; and the number of poor in America (33.6 million people) now equals the combined populations of 23 states; and

WHEREAS, since the late 1970's, the portion of state and local budgets picked up by Washington has plummeted by one-third and the end to the arms race makes it imperative that money spent in the past on military armaments and wasteful defense spending be reinvested in the survival of our cities and the welfare of our children; and

WHEREAS, a broad-based local organizing committee is in formation to help coordinate transportation and recruit Pittsburgh area residents to participate in the May 16th national mobilization.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh joins Mayor Masloff and all the sponsoring organizations in endorsing the Save Our Cities - Save Our Children rally in

Washington, D.C., scheduled for Saturday, May 16, 1992 and encourages Pittsburgh residents to participate in this effort; and

BE IT FURTHER RESOLVED, that Saturday, May 16, 1992 be declared "Save Our Cities - Save Our Children Day" in the City of Pittsburgh; and

BE IT FURTHER RESOLVED, that a copy of this proclamation be mailed to our Allegheny County Commissioners, our elected School Board and Elected Officials from all municipalities in Allegheny County.

Mr. Ferlo moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

Michelle Madoff:

Where will it be?

Mr. Ferlo:

It's right in the heart of Washington, D.C. near the Capitol and the Monument. There will be no trouble finding it because we'll hopefully have millions of people there ascending on D.C.

In the past, Pittsburgh and throughout Western Pennsylvania, we've always come out strongly and loudly for these types of national mobilizations. I do want to mention that I believe Mayor Masloff and others will be joining other Mayors from around the country the day before, on the 15th hopefully, for a Congressional lobbying day prior to the Saturday rally in D.C.

We have with us this morning George Edwards, and I'm not going to name everybody here but there's a broad-based group, and I recognize a lot of faces in the crowd, from the

Thomas Merton Center to U.S.W.A. and National Council of Senior Citizens, and the SOAR members, and I'm sure with the support of the Steelworkers International that's here today, and a lot of the other organizations that I see.

I know already we're off and running to make sure that we actually garner a broad-based support for this mobilization.

Certainly, as elected officials, we know first-hand the struggle that this City has been engaged in for more than a decade. We continually have always had to play second fiddle when it comes to Washington, allocating dollars back to the City of Pittsburgh.

Time does not permit us here to talk at length about all of the problems that we have in this City that could easily be resolved, including major infrastructure let alone programs meeting people's needs, can easily be resolved and addressed if our federal priorities were re-organized at the national level.

It's quite clear that given the international situation, it's about time that we recognize and get over the cold war mentality that has plagued our society for more than 40 years. It's about time that we re-order the priorities. We're talking about billions of dollars in the past that have gone for wasteful defense spending that now provides an opportunity for us in this Country to really do something to make America what it really should be for everybody.

We are at that window of opportunity now but this demonstration in Washington will help mobilize and crystalize that sentiment that we know is out there. We're asking that all Pittsburghers support the Mayor and Council and the leadership of this Coalition and take the time out that day to travel to Washington and be a part of the mobilization.

At this time, I'd like to call on George Edwards and possibly a few others to just talk about the national margin and what is exactly planned. George Edwards from the SOAR organization.

Mr. Edwards:

Between the contents that was in the resolution and the remarks made by Jim Ferlo, there's not much more to say. As a matter of fact, the prepared remarks I had have all been said.

So, what I want to do is express the feelings of the organizations here, that we're in full support of this march and we'll do our share of mobilizing people to go.

Among those mentioned here, there was one group that wasn't mentioned here, the Coalition of Black Trade Unionists is represented here too. We call on anybody in the audience who wants to join in this organization to get people to Washington, D.C. to sign in with me right after we get through here and help prepare a caravan of buses to go to Washington.

It's in the self-interest of this City that we have a showing of support for getting money to the cities and to the people for jobs, health care, fighting crime and the other issues that are now swamping our cities.

So, we are very appreciative of Council and the Mayor and this support and we promise to do our share to rally around to make it a success. Thank you.

Mr. Ferlo:

I'd like to have Molly Rush from the Thomas Merton Center say a few words also.

Ms. Rush:

For those of you who haven't received this in the mail, I have just a few extra copies, but it's an ad that's going to appear on tax day that basically supports the Save Our Cities effort. It's calling for a re-investment in our country.

So, we urge everyone here today to turn over \$20 to add your signature to the campaign for a citizens budget campaign. We're working with the Jobs With Justice, both locally and nationally, to raise our voices for a real change.

Mr. Ferlo:

Again, the people that will be organizing coalition meetings established in the next few days and you can contact my office or the Thomas Merton Center or the SOAR chapter down at the Steelworkers to get involved. I'm hoping that organizations who are listening will dedicate a contribution to help pay for the buses and begin to mobilize people.

Also, I think even if they are capable on a Saturday of going, if you can come the day before to participate in the Congressional lobbying, that would also be helpful.

I was very disappointed when I woke up this morning at 6:00 to hear that, and I don't want to be overly political here, but it was sort of a contradiction to hear Mr. Clinton talk about defending the Sea Hawk Submarine, which is another useless military armament that we don't need, and George Bush is for getting rid of it. I think what's very important is that we don't need another Michael Dukakis riding around in a tank.

We have an opportunity now to really talk about a change in federal priorities and I just hope that whether it be Republicans or Democrats or Independents, we all collectively raise our voice and talk about what truly are the

priorities and our needs in this country. We have that opportunity; let's not blow it. Thank you.

Michelle Madoff:

One quick comment. It wouldn't hurt if the City of Pittsburgh changed its priorities too. We might be able to help some of the children.

The Chair:

Thank you all.

Michelle Madoff:

May I ask that Bunny Fajerski, Millie Karolski, Jim McClure, Cindy Baldrige and John McGrane please come forward?

I want you to know that we made one correction from the information you gave us. We changed it from "girls" to "young women".

Michelle Madoff presents

No. 514 WHEREAS, the Office for Adolescent Formation and Youth Ministry of the Diocese of Pittsburgh will be sponsoring the 1991-1992 Girls Grade School State CYO Basketball Tournament; and

WHEREAS, there are approximately 500 girls who participate from the eight Pennsylvania Diocese, the championship teams of each diocese in the State; and

WHEREAS, the following are the participants: From the Eastern part - Allentown, Scranton, Harrisburg and Philadelphia; from the Western part - Erie, Greensburg, Altoona/Johnstown and Pittsburgh; and

WHEREAS, St. Mary of the Mount will be hosting this tournament in their excellent facilities.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby welcome participants of the 1991-1992 Grade School State CYO Basketball Tournament; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh also acknowledges the honor given to the City of Pittsburgh and particularly St. Mary of the Mount, to be designated host of this tournament.

Michelle Madoff moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. McCrane:

I'm from Lawrenceville, of course. A real quick resume, a girls' grade school league was started after the Diocese dropped it. We started in 1959 with eight schools. Now it went up to 88 schools in the whole Diocese of Pittsburgh.

This is our third State Championship series here. In 1975, St. Cyril, North Side, won it. And then in 1984, Our Lady of Loretto, Brookline, won it and they were from the City of Pittsburgh. In 1992 we hope St. Basil's from Carrick might win the State Tournament right here at home.

Out of 17 years of the tournament, the Pittsburgh Diocese has won 10 of them, so that's a pretty good record. St. Bartholomew won 5. You probably heard of Paul Seneca who is now a coach at Penn Hills. He coached them to 5 State Championships. Our Lady of Loretto won.

We probably have the most knowing player almost in the area on this side of Pennsylvania. We had Suzie McConnell who

played in our grade school league and also was one of the members of the Championship Team in 1981 when they won it.

This year we hope St. Basil's will come through with it but, all in all, without the coaches and the players, of course, and their parishes supporting them, there wouldn't be any Grade School Girls' League. I had it for 27 years; due to surgery I had to give it up and cut my services down now. Chris Valcorso from Lawrenceville now is the Director of it and I'm still with it but I have the JV Boys in the Diocese.

So, good luck to the girls in Pittsburgh and we win hosting our third consecutive tournament here at St. Mary of the Mount which is really a nice place to play basketball. Thank you again.

Speaker:

We'd like to thank Michelle for taking the time to give us this opportunity to appear in front of City Council. We more than welcome any people that come up and watch the State Play-offs this weekend. Thank you.

The Chair:

We have two final resolutions. We appreciate everyone's patience today; we have an exceptional number of resolutions. That's extremely unusual for Council but is sometimes very important.

Mr. O'Connor:

Would David Rideout, Carol Cannon and Jim Harland please come up? We really got dressed for the occasion.

Mr. O'Connor presents

No. 515 WHEREAS, the Scottish were

among the first settlers in the Pittsburgh area and Pittsburgh was named, in 1758, by Scottish General John Forbes in honor of William Pitt, Earl of Chatham; and

WHEREAS, in 1763, the 42nd Highland Regiment, the famed Black Watch, saved the Settlement of Pittsburgh from destruction during Pontiac's uprising; and

WHEREAS, the famed Pennsylvania Line, composed primarily of Scottish descendants from Western Pennsylvania, remained with General Washington at Valley Forge and is credited with the final victory of the American Revolution, ensuring the birth of our nation; and

WHEREAS, the Scottish influence on the City of Pittsburgh is evidenced in higher education, through the establishment of both the University of Pittsburgh and Carnegie Mellon University; in religion, through the Pittsburgh Presbytery; and, in culture, through the philanthropic efforts of Andrew Carnegie of Dumferline, Scotland; and

WHEREAS, many distinctive place names, such as Forbes Avenue, Grant Street, Carnegie, Braddock, Monroeville, McDonald, Murrysville, Irwin, McCandless, Ben Avon, McKees Rocks, Pitcairn, to name but a few, commemorate the many Scotts who contributed to our community; and

WHEREAS, the Pittsburgh Scottish Dance Society, organized in the 1950's, will hold their 11th Annual Ball on March 28, 1992 to celebrate these many contributions Scottish Americans have made to the benefit of the City of Pittsburgh and Western Pennsylvania.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh acknowledges the significant

contributions made by the Scottish American community to the City of Pittsburgh and thanks the Scottish Dance Society for their efforts to preserve and celebrate this grand heritage; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh proclaims the week of March 22 through March 28, 1992 as "Scottish Heritage Week" in the City of Pittsburgh.

Mr. O'Connor moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. Rideout:

Mr. Wagner, ladies and gentlemen of the Council, I'm happy and very proud to accept this proclamation on behalf of the Pittsburgh Scottish Dance Society. I thank Mr. O'Connor for introducing the matter and you for considering it.

I had prepared a speech which I see has been pre-empted by Mr. O'Connor, so I don't think there's much point in my dwelling on what I have here. I'll just say that, as has been noted, we have our annual ball this week and we'd be honored if you would stop by and "take a glass of champagne" with us at 7:30 at the Westin William Penn. Thank you very much.

The Chair:

We have one final resolution and I would like Michael Pulte to please step forward to receive it. Michael is the President and Chief Executive Officer of the Joseph Horne Company. I'm honored to present this resolution.

The Chair presents

No. 516 WHEREAS, Hornes was

established in 1849 by Joseph Horne in Pittsburgh; and

WHEREAS, Joseph Horne, Co., Inc. is an independently owned department store chain concentrating on fashion and quality merchandise and currently operates 15 stores employing more than 2,500 people; and

WHEREAS, Joseph Horne Co., Inc. is one of two departmet stores in Downtown Pittsburgh and represents a vital retail magnet in the Golden Triangle; and

WHEREAS, Joseph Horne Co., Inc. recently announced the successful completion of a debt restructuring agreement that significantly reduces the company's debt burden and will ensure Horne's long-term viability; and

WHEREAS, the debt restructuring was possible because of the confidence of investors, The Equitable Life Assurance Society of America, Mitsui & Co., Massachusetts Mutual Life Insurance Co., Merrill Lynch Life Insurance Co. and Integrity Life Insurance Co. and lending institutions, led by Pittsburgh National Bank in the Joseph Horne Company, it's people, merchandise and operations; and

WHEREAS, this vote of confidence assures Horne's long-range future in the Pittsburgh and Western Pennsylvania market and enables the company to pursue its retail strategies with renewed confidence and determination.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby congratulate and commend the management of Joseph Horne Co., Inc. led by Michael L. Pulte, Chairman, President and Chief Executive Officer, Lawrence Angst, Executive Vice-President and Chief Operating Officer, and Leslie D. Perrin, Senior Vice-President and Chief Financial Officer for their

diligence in putting the company on sound financial footing and moving ahead to the future; and

BE IT FURTHER RESOLVED, that the Council extends its most sincere thanks to the investors and banking institutions, including Pittsburgh National Bank, for showing confidence in the Joseph Horne Co. and ensuring the long term viability of a 143 year old Pittsburgh institution and declares March 24, 1992 through March 31, 1992 as "Joseph Horne Company Days" in the City of Pittsburgh.

Mr. Milliones moved to adopt the resolution.

Michelle Madoff seconded the motion.

Which motion prevailed.

Michelle Madoff:

Tell everyone to go shopping there.

The Chair:

Michelle said to tell everyone to do their shopping at Horne's and that's actually one of the reasons for this resolution. I want you to know, the suit I'm wearing was purchased at Horne's, because, truly, they do have quality merchandise and it is a great store to shop in.

Leave it to me to present a resolution, Michael, designating this week when there's a PAT Transit strike, as the week to ask everyone to come to town and to shop and to pay particular attention to the Joseph Horne Company. But I want the public to know also that you can have easy access into Downtown Pittsburgh, even during these difficult times. There are parking spaces available and you can get into town. And it actually is more pleasurable, possibly, to shop today than it is under normal times. So, we want the public to come into Downtown Pittsburgh,

even when it's difficult.

But, getting back to the purpose of this resolution, Michael, we generally present resolutions urging things to happen. Obviously this is a resolution commending and congratulating all of you for your concern, for your dedication to our City. We know you have been involved not only within your company, but also making recommendations to Council about some improvements that can be made in the City of Pittsburgh. Your involvement with the Golden Triangle Association, they are very, very important to this City and truly we commend you, we commend the efforts of the various institutions, particularly Pittsburgh National Bank, and we want to see you stay here for another 150 years.

Mr. Pulte:

Thank you very much. On behalf of Horne's employees and Board of Directors, I'm honored to receive this recognition. I think it's just tremendous.

I think that Jack put it very well in the resolution. It certainly covers the fact that because of Horne's being a citizen in the community, and that's actually how we perceive Horne's, it was recognized by the lending institutions who said there is no way we're going to let this company be damaged. Pittsburgh National Bank and some others did step up to the plate and do some things that were above and beyond the call of duty as it relates to what you normally would expect from a lending institution.

So, I very sincerely appreciate the recognition and I'm humbled. And we look forward to, as Jack said, another 143 years in the City of Pittsburgh. Thank you very much.

Mr. Cohen:

Mr. President, I just would like to take a moment also to commend Mr. Pulte on his civic-mindedness as well. Mr. Pulte, as you know, was here and spoke at the post agenda meeting that we had on Downtown Pittsburgh, and you stood up and you took what I thought was a brave position about regional financing for the City of Pittsburgh and for Allegheny County. So, not only are you a successful businessman and have put Horne's back on track, but you're a civic-minded man and we appreciate that very much.

Mr. Cohen presented

No. 474 Resolution renewing Resolution No. 572 approved by City Council on May 28, 1991 authorizing the University of Pittsburgh Medical Center, agent on behalf of the Department of General Services of the Commonwealth of Pennsylvania, to construct a 200,000 square foot, ten-story medical research facility atop the existing Victoria Street Parking Garage on the northerly side of Victoria Street at Darragh Street, 4th Ward. (Council District #8)

Which was read and referred to the Committee on Planning, Housing and Development.

Mr. Darkins presented

No. 475 Resolution authorizing the issuance of a warrant in favor of Strategic Computer Assistance, Inc. in the amount of \$5,550.00, in payment for computer training services provided by Fran McNeil of Strategic Computer Assistance, Inc. to the Bureau of Cable Communications, Department of Public Works, chargeable to and payable from the Community Communications Trust Fund, Code Account CC, in the Bureau of Cable Communications, Department of Public Works.

Which was read and referred to the Committee on

Finance.

Also,

No. 476 Resolution granting unto West Penn Hospital, 720 Gross Street, Pittsburgh, PA 15224, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, lights, poles, pole foundations and conduit in portions of the right-of-way of Aloe Street, which is considered a paper street, in the 8th Ward, 8th Voting District, of the City of Pittsburgh. The encroachment is necessary along the walkway to enhance the security of pedestrians using it. West Penn Hospital will remove any trees and underbrush within 5 feet of the path and keep it clear.

Which was read and referred to the Committee on Public Works.

Mr. Ferlo presented

No. 477 Resolution authorizing a formal investigation and inquiry into the allegations of illegal activity and improprieties involving Keystone Lumber Company and a review of the administrative procurement procedures and policies of City government.

---(SPONSORED BY MR. FERLO)

Also,

No. 478 Resolution providing for an agreement or agreements or for the use of existing agreements for an internship for graduate student(s) for a period of one year, from January 1, 1992, until December 31, 1992, to perform various energy related services for the Department of General Services, at a cost not to exceed \$23,845.00, payable from Energy Conservation Trust Fund, Department of General Services.

Which were read and referred to the Committee

on General Services.

Michelle Madoff presented

No. 479 Resolution providing for the issuance of a warrant in favor of G.E. Supply, P.O. Box 102149, Atlanta, GA 30368, in the amount of \$1,412.60 in payment for a Switchgear Transformer furnished for the benefit of the City in connection with repairs to Pump #1 at Saline Street Pumping Station, chargeable to and payable from Code Account No. 1974, Repairs, Purification and Pumping Division, Department of Water.

Also,

No. 480 Resolution providing for the issuance of a warrant in favor of W.C. Weil Company, P.O. Box 199, Allison Park, PA 15101 in the amount of \$1,956.00, in payment for two pressure reducing valves furnished for the benefit of the City in connection with repairs to 20" line on Brighton Road feeding McNaugher and Brashear Reservoirs, chargeable to and payable from Code Account 1986, Materials, Distribution Division, Department of Water.

Also,

No. 481 Resolution providing for the issuance of a warrant in favor of Westinghouse Electric Corporation, P.O. Box 340172P, Pittsburgh, PA 15264, in the amount of \$995.00 in payment for bronze oil slingers furnished for the benefit of the City in connection with repair on Pump #3 at Aspinwall Pumping Station, chargeable to and payable from Code Account No. 1974, Repairs, Purification and Pumping Division, Department of Water.

Which were severally read and referred to the Committee on Finance.

Mr. Milliones presented

No. 482 Resolution providing for the issuance of a warrant in the sum of \$13,500.00 to Lenore G. Sherman and Paul R. Giba, Esquire, 213 Smithfield Street, Pittsburgh, PA 15219 in full and final settlement of an alleged accident involving a City police vehicle at or near the intersection of Fifth Avenue and Beechwood Boulevard on or about August 15, 1987, payable from Code Account No. 46, Judgments.

Also,

No. 483 Resolution providing for the issuance of a warrant in the sum of \$4,000.00 to Diane C. Debra and Paul R. Giba, Esquire, 213 Smithfield Street, Pittsburgh, PA 15219 in full and final settlement of an alleged accident involving a City police vehicle at or near the intersection of Fifth Avenue and Beechwood Boulevard on or about August 15, 1987, payable from Code Account No. 46, Judgments.

Also,

No. 484 Resolution providing for the issuance of a warrant to Timothy P. Wolfe and Emil R. Pecori, Esquire, in the amount of \$100,000.00 in full settlement of claim for personal injuries, arising from a motor vehicle collision involving a City refuse vehicle at the 10th Street Bypass just past the railroad trestle around the bend in the roadway in the City of Pittsburgh on July 5, 1988, payable from Code Account No. 46, Judgments.

Which were severally read and referred to the Committee on Finance.

Mr. O'Connor presented

No. 485 Resolution providing for the filing of an application or applications by the City of Pittsburgh with the U.S. Department of

Interior, National Parks Services for the Urban Parks and Recreation Recovery (UPARR) Grant in connection with the Environmental Education Innovative Project; providing for the execution of a grant contract and for the filing of requisitions and other data; approving the project; providing for required assurances; providing for the execution of payment vouchers on Letter of Credit; providing for the certification of authorized signatures; and for the deposit of funds into the Frick Park Trust Fund Account.

Which was read and referred to the Committee on Parks and Recreation.

Mr. Onorato presented

No. 486 Resolution transferring the sum of \$31,300.00 from Public Safety Pennfree Initiative (PSPFI), Bureau of Police, Department of Public Safety, to Code Account 1154-1, Department of General Services, Rental of Motorized Equipment, as reimbursement for a van.

Which was read and referred to the Committee on Finance.

Mr. Onorato moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Ricciardi seconded the motion.

Which motion prevailed.

Also,

No. 487 Resolution providing for an agreement or agreements with an independent contractor for the purchase of pharmaceutical services, supplies and medications necessary for the operations of the Bureau of Emergency

Medical Services, at a cost not to exceed \$15,000.00, chargeable to and payable from Code Account 1422.

Which was read and referred to the Committee on Public Safety.

Mr. Ricciardi presented

No. 488 Resolution providing for the issuance of a warrant in favor of Consolidated Rail Corporation in the amount of \$295.30 in payment of railroad flagging services required for the inspection of the Larimer Avenue Bridge over Conrail, payable from Code Account EC 91-57.

Which was read and referred to the Committee on Finance.

Also,

No. 489 Resolution further amending Resolution No. 1415, effective January 1, 1991, as amended, entitled "Adopting and approving the 1991 Capital Budget and the 1991 Community Development Block Grant Program; and approving the 1991 through 1996 Capital Improvement Program," by transferring a portion of PW 91-47 (Signals at Various Intersections) Department of Public Works to EC 91-47, (Signals at Various Intersections) Department of Engineering and Construction.

Also,

No. 490 Resolution further amending Resolution No. 157, effective March 22, 1989, as amended by Resolution No. 600, effective July 27, 1989, entitled "Providing for a Contract or Contracts, or use of existing Contracts, for Street Tree Planting at Various Locations in the City of Pittsburgh; and providing for the payment of the cost thereof," by decreasing the total project allocation by \$468.49 from \$100,000.00 to

\$99,531.51.

Also,

No. 491 Resolution providing for a Cooperation Agreement or Agreements with The Carnegie in connection with the Buhl Science Center at a cost not to exceed \$960,000.00, chargeable to and payable from Code Account EC 92-585.

Also,

No. 492 Resolution providing for an Agreement or Agreements, or use of existing Agreements with a Consultant or Consultants, in connection with the NBIS Update Bridge Inspection of the Fort Pitt Boulevard Eastbound Bridge; providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation. Any reimbursement received from the federal and/or state shall be deposited in the Department of Engineering and Construction's Unrestricted Cash, 1989 Project Fund, Code Account EC 91-57.

Also,

No. 493 Resolution providing for an Agreement or Agreements, or use of existing Agreements with a Consultant or Consultants, in connection with the NBIS Update Bridge Inspection of the Schenley Park Bridges over Boundary Street and Panther Hollow; providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation. Any reimbursement received from the federal and/or state shall be deposited in the Department of Engineering and Construction's Unrestricted Cash, 1989 Project Fund, Code Account EC 92-57.

Also,

No. 494 Resolution providing for an Agreement or Agreements, or use of existing Agreements with a Consultant or Consultants, for Structural Engineering Services as needed, at a cost range of \$25,000.00 or more, but less than \$50,000.00, chargeable to and payable from Code Account EC 92-57.

Also,

No. 495 Resolution further amending Resolution No. 1296, effective January 1, 1992, as amended, entitled "Adopting and approving the 1992 Capital Budget and the 1992 Community Development Block Grant Program and approving the 1992 through 1997 Capital Improvement Program," by authorizing \$355,000.00 1992 funding for Project 217, Monongahela Incline Wall.

Also,

No. 496 Resolution providing for a Contract or Contracts, or use of existing Contracts, for Construction of the Mon Incline Slope Stabilization at a cost range of \$500,000.00 or more, but less than \$575,000.00.

Also,

No. 497 Resolution amending Resolution No. 320, effective April 3, 1990, as amended by Resolution No. 1202, effective November 28, 1990, entitled "Providing for an Agreement or Agreements, or use of existing Agreements, with a Consultant or Consultants, for Design Services in connection with the Reconstruction and Stabilization of Various Retaining Walls, including but not limited to Andover Terrace, Dakota Street, Pusey Street, Rubric Street and Sprain Street; and providing for the payments of the costs thereof," by increasing the total project allocation by \$75,000.00 from \$125,000.00 to \$200,000.00.

Also,

No. 498 Resolution further amending Resolution No. 1296, effective January 1, 1992, as amended, entitled "Adopting and approving the 1992 Capital Budget and the 1992 Community Development Block Grant Program and approving the 1992 through 1997 Capital Improvement Program," by creating a new line item EC 92-68, Schenley Park Bridge over Boundary Street Trust Fund Transfer.

Also,

No. 499 Resolution providing for the creation of a special trust fund to be known as "Schenley Park Bridge over Boundary Street Trust Fund" for the deposit of funds and reimbursements to be used for the Rehabilitation of the Schenley Park Bridge over Boundary Street.

Also,

No. 500 Resolution providing for a Contractor Contracts for the Rehabilitation of the Schenley Park Bridge over Boundary Street, including necessary work on private property and other work incidental thereto, at a cost range of \$5,000,000.00 or more, but less than \$5,500,000.00, chargeable to and payable from the Schenley Park Bridge over Boundary Street Trust Fund; providing for a Reimbursement Agreement with the Commonwealth of Pennsylvania, Department of Transportation;

Also,

No. 501 Resolution adopting Official Sewage Facilities Plan for the Baxendell South Side Project.

Also,

No. 502 Resolution adopting Official Sewage Facilities Plan revision for The Rosemont Plan of Lots located along the East Side of Beechwood Boulevard in the 14th Ward of the City of Pittsburgh.

Also,

No. 503 Resolution adopting Official Sewage Facilities Plan revision for the Frankstown Court Plan of Lots located along Frankstown Avenue between Collier Street and North Braddock Avenue in the 13th Ward of the City of Pittsburgh.

Which were severally read and referred to the Committee on Engineering and Construction.

The Chair presented

No. 504 Communication from Ben Hayllar, Director, Department of Finance, submitting a report of deposits and the market value of securities pledged as collateral by City Depositories as of January 1992.

Which was read, received and filed.

UNFINISHED BUSINESS

Michelle Madoff:

Mr. President, a number of days ago there was a story, I think it was Thursday's newspaper, "Jury Finds City Liable For Injuries To Two In Car Crash". The award was \$580,000.

That goes to the issue of what I've been trying to accomplish for ten years, and Mike will substantiate that, which is a picture of where our problems are coming from to have some concept of what our burden of liability is. I want to know the month because I was told, as you know, when we had problems in our Refuse Department that it

was because it was summer and it was hot, or winter and it was icy. It turned out that the accidents were in the spring and the fall.

I have not as yet gotten an on-going program development by the Administration, because it's really their job. I've got Kurt working on it because we need it.

The Chair:

Councilwoman Madoff, I don't want to interrupt but that doesn't—

Michelle Madoff:

This is Old Business. I still don't have it. I still don't have the list. That's Old Business.

The Chair:

Unfinished Business is really an issue in front of Council that is—

Michelle Madoff:

It's an issue that Council needs the information on. We've asked for it for claims over \$700, under \$700 and the total.

The Chair:

I would appreciate it if you would address that towards the end of the meeting under Motions and Resolutions.

Michelle Madoff:

I think it belongs now but I'll yield.

The Chair:

It's not an active issue in front of Council.

REPORTS OF COMMITTEES

Mr. Milliones presented

Bill No. 505

Report of the Committee on Finance for March 18, 1992 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 422

A Resolution entitled, "Resolution providing for the issuance of a warrant in the sum of \$6,250.00 to Roger Weaver and James Villanova, Esquire, Suite 1111, Oliver Building, Pittsburgh, PA 15222 in full and final settlement of an alleged accident involving a City police vehicle at or near the intersection of Forbes Avenue and Cherry Way on or about August 8, 1987."

Which was read.

Also,

Bill No. 423

A Resolution entitled, "Resolution providing for the issuance of a \$963.00 warrant in favor of Thomas R. and Maryann P. Moore in settlement of claim for sidewalk damage."

Which was read.

Also,

Bill No. 424

A Resolution entitled, "Resolution providing for the issuance of a warrant in the sum of \$883.30 to Kenneth Muschar c/o Shirley Novak, Suite 706

Lawyers Building, 428 Forbes Avenue, Pittsburgh, PA 15219 in full and final settlement of an alleged accident involving a City refuse truck, ESR-2, and a 1986 Dodge Van belonging to Kenneth Muschar at 64 Rostock Street in the City of Pittsburgh on or about January 30, 1991."

Which was read.

Also,

Bill No. 425

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of General Binding Corporation, P.O. Box 93951, Chicago, IL 60673-3951, in the amount of \$1,267.47 in full payment for budget binders for Council's Budget Office for the 1992 Operating and Capital Budgets." —(SPONSORED BY MR. MILLIONES)

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 9

NOES none

And there being two-thirds of the votes of

Council being in the affirmative, the bills passed finally.

Also,

Bill No. 426

A Resolution entitled, "Resolution providing for a Contract or Contracts, or for the use of existing Contracts, to conduct two City-wide Fair Housing Conferences in connection with the Fair Housing Assistance Program of HUD, and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 427

A Resolution entitled, "Resolution amending Resolution No. 1112, Item F, effective December 9, 1991, which authorized the sale of a vacant lot, known as 615 McLain Street, 18th Ward, designated as Block 3 N, Lot 151, to Bernard C. Duffy and Lisa A. Duffy, his wife, for the sum of \$375.00."

Which was read.

Also,

Bill No. 428

A Resolution entitled, "Resolution amending Resolution No. 54, Item H, effective February 10, 1992, which authorized the sale of a vacant lot, known as 4157 Irvine Street, 15th Ward, designated as Block 30 D, Lot 66 (part) to Earl V. Jones & Elizabeth P. Jones, his mother, Joint Tenants, for the sum of \$350.00."

Which was read.

Also,

Bill No. 429

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties, acquired at tax sales in accordance with Act No. 171 of 1984, 'Second Class City Treasurer Sale and Collection Act', effective December 11, 1984."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 433

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of the Pugliano Construction Co. Inc. in the amount of Six Thousand Eight Hundred Forty Four Dollars and Thirty Eight Cents (\$6,844.38), in payment for utilities paid by Pugliano Construction Co. Inc.

provided to the Department of Parks and Recreation, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 9 NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 449

A Resolution entitled, "Resolution transferring the amount of \$8,000.00 from Code Account 1838 (183806), Miscellaneous Services, Department of Parks and Recreation to Code Account 1103 (110304) Miscellaneous Services, Department of City Planning."
--(SPONSORED BY MR. FERLO)

Which was read.

Also,

Bill No. 452

A Resolution entitled, "Resolution authorizing and directing the Mayor to issue and the City Controller to countersign a warrant in the amount of Four Thousand Four Hundred Fifty Six and Two Cents (\$4,456.02) to the Commonwealth of Pennsylvania representing the initial payment required for unclaimed funds for the year 1984 pursuant to the provisions of the Deposition of Abandoned and Unclaimed Property Act, Act of August 9, 1971, P.L. 74."

Which was read.

Also,

Bill No. 453

A Resolution entitled, "Resolution authorizing and directing the Mayor to issue and the City Controller to countersign a warrant in the amount of Ten Thousand Three Hundred Sixty Three Dollars and Ninety Four Cents (\$10,363.94) to the Commonwealth of Pennsylvania representing the final payment required for unclaimed funds for the year 1983 pursuant to the provisions of the Deposition of Abandoned and Unclaimed Property Act, Act of August 9, 1971, P.L. 74."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Cohen presented

Bill No. 506

Report of the Committee on Planning, Housing and Development for March 18, 1992 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 301

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to submit an application for financial assistance in the amount of \$125,000 to the Pennsylvania Department of Community Affairs for the East Liberty Industrial Center Project."

Which was read.

Also,

Bill No. 302

A Resolution entitled, "Resolution authorizing a Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh for the East Liberty Industrial Center Project providing

for the designation of \$125,000 of Pittsburgh Water and Sewer Authority and private utility funds as the local matching share for a grant applied for in an application for financial assistance filed with the Pennsylvania Department of Community Affairs."

Which was read.

Also,

Bill No. 416

A Resolution entitled, "Resolution authorizing the submission of an application for federal assistance, a program description and certain certifications and the execution of a grant agreement with the U.S. Department of Housing and Urban Development for a grant in the amount of \$4,375,000 under the Home Investment Partnerships Program."

Which was read.

Also,

Bill No. 417

A Resolution entitled, "Resolution authorizing a Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh designating URA as the City's agent for implementation of the Federal Home Investment Partnerships Program, providing for the disbursement of funds directly to URA and compliance by URA with Federal HOME Program requirements."

Which was read.

Also,

Bill No. 418

A Resolution entitled, "Resolution authorizing a

Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh providing for the demolition by the City of Pittsburgh of certain properties in the Manchester Area and providing for the payment of the cost thereof by URA."

Which was read.

Also,

Bill No. 11

A Resolution entitled, "Resolution providing for the designation as a Historic District under Section 513 of Chapter 1007 of the Code of Ordinances that certain district known as the Oakland Civic Historic District, located in the 4th Ward, City of Pittsburgh."

Which was read.

Mr. O'Connor:

Discussion on Bill No. 11. I'd like to amend Bill 11 by deleting St. Paul's Cathedral and all its properties as a historic structure, and by adding to this a new section as follows:

"The removal of the St. Paul's Cathedral site is contingent upon an executed memorandum of understanding between the City of Pittsburgh and the Diocese of Pittsburgh indicating that the Diocese of Pittsburgh will voluntarily comply with the guidelines for the Oakland Historic District."

Mr. Darkins seconded the motion.

Mr. O'Connor:

I wish to commend the efforts of Councilman Ferlo, Mary Paradise, and the members of Preservation Pittsburgh without whom we would not have this historic zone.

I feel there is a clear need to protect the Oakland Civic Center for not only ourselves but for future generations to come.

During the last four weeks we've been lobbied, and I've had a lot of pros and cons and we had a long hearing, especially concerning St. Paul's Cathedral. Our amendment addresses the concerns not only of the Diocese of Pittsburgh but the 800 families who wish to be removed from the district.

In my short three months in office, I have been told that you have to choose sides. I feel this is not the case. In business I've learned that a good deal satisfies both parties.

I urge my colleagues to vote for this amendment and I think most will agree that this Council has the vision to preserve historic sites and also the ability to listen to its voters and constituents. Please vote for this amendment and I would like to pass the floor to my co-sponsor, Councilman Onorato.

Mr. Onorato:

Any time you propose a historic district, there's a lot of questions, and I think each district has to be evaluated on the merits of that particular district.

Oakland, which everyone will agree, has some unique architecture that cannot be found anywhere else in the City and it would be a shame if we didn't do anything to protect those buildings. We have, as was mentioned in the public hearing, several different European architectural designs in a matter of a one-mile radius, probably, in the Oakland district.

We're dealing with over 40 institutions that are in this district and there's been a lot of discussion with the Historical Review

Commission and they sat down separately with each institution, each owner, and tried to work out any problems that the individual owners might have. To their credit, they've come to some kind of an agreement or let the institution feel comfortable enough to say hey, this historical district is important; we will enter in and we will comply and we hope that it will preserve Oakland.

With St. Paul's Cathedral, they never felt comfortable, for whatever reason, and they have some legitimate concerns, as everyone does in the district. But the point is, up until the end, they stood there firm saying that there is a problem and this would hinder them not just in Oakland but throughout the City and throughout the Diocese.

So, I was concerned this weekend about that issue because St. Paul's, everyone would agree, is a major part of this district and their Church should be preserved like every other building.

So, I thought if we could find a way to address St. Paul's concerns, and at the same time address the Preservationists and the Historical Review Commission's concerns, it would be a great, great compromise. And here we've come up with a situation where St. Paul's will voluntarily comply. This addresses some of their concerns by being removed from the district for whatever reason they have. But, at the same time, we do have a voluntary compliance. The Preservation group should be happy that we have a group realizing that they're institution is very important and that they will sign a document indicating that they will voluntarily comply.

But, the point it, when we're dealing with historic designation, we have to be willing to be flexible because every situation is different, every group is different. Some are publicly funded, some are privately funded, some are religious groups. We can't just have a blanket

statement saying it's an old building, it has a lot of value, preserve it.

I would hope that we always keep an open mind. I hope this is a compromise that everyone can live with, and I think that it will be for the betterment of Oakland overall.

Michelle Madoff:

I take a deep breath because this has changed six different times. It has not been an easy decision for my colleagues nor myself. My phone has come off the hook. We couldn't work yesterday in our office at all. The leaders of the Church advised parishioners to call my office. I don't know if I was singled out or whether you all got calls, but our phone rang every three seconds, off the hook. So, obviously, the Church wields a great deal of power and influence.

What we have to do in this Council is vote our conscience and I'm delighted that a compromise has been reached. I told the people who called our office and spoke to Bill Urbanic, in particular, and when he explained the situation to them they were for the bill as it was. But, as I said, I'm glad a compromise of voluntary compliance has been worked out. I told them to tune in and watch Council, so if you're watching, folks, we've come up with a compromise that I think is going to keep everybody happy and I urge my colleagues to vote in favor of this legislation.

Mr. Ferlo:

I'm voting for the amendment because of politics, pure and simple, not because the Diocese and this property deserves any special dispensation. The fact of the matter is, the Diocese legitimately is faced with, over the next decade, a major reorganization regarding properties throughout the region and throughout the City of Pittsburgh.

I think there's every indication that parishioners who are legitimately concerned about the possible closing of local churches throughout the neighborhoods, whether it be for architectural significance of those churches or for the fact that they have practiced their faith there for many years. The Diocese is very concerned about the Oakland designation of St. Paul's moreso because of the politics of the reorganization, and I think that's a legitimate concern.

I have stated in the past, and I'll express this concern right here, that I will not in the future vote for the individual designation of parishes and I would not want to, myself, as an elected official, get involved in an intra-diocesan issue as it relates to reorganization and the possible closing of buildings.

However, where there are significant buildings, I would hope that we would try to find an atmosphere to work with the Diocese. We've already initiated that kind of dialogue with the Episcopal Diocese. I think there are resources that can be recruited and where there are significant buildings, be they at the neighborhood level and be they not necessarily part of a larger district, I hope that in the future the Diocese is at least open-minded and is willing to consider working with those from the public sector, the private sector, the community, and indeed their own parish counsels to find creative alternatives to adaptively re-use church buildings.

Having said that, I think the amendment can be supported because regardless of whether this particular site, as Mr. O'Connor has pointed out, will not necessarily be in the designated zone, the fact that the amendment states explicitly that they will sign a memorandum of understanding voluntarily complying with the Oakland Civic District, I think we've achieved

the same results.

Mr. Cohen:

Mr. President, St. Paul's Cathedral is the crown jewel of the Oakland Civic Center and I'm very proud to be in the district in which St. Paul's Cathedral resides. That's why I voted, and many of us voted, last Wednesday to designate it as a preliminary vote, really as a tribute to the Diocese and as a tribute to St. Paul's Cathedral, because it is the crown jewel and such a magnificent structure.

In my view, as long as the Diocese agrees to abide by the Historic Review Commission, then it really doesn't matter whether technically it's designated or not designated.

So, I want to commend Councilman O'Connor and Councilman Onorato for working with the Church and commend the Church for voluntarily agreeing to comply with the Historic Review Commission. There's still an agreement, of course, that has to be worked out and signed, and I know that at least the first draft of that has been done. But, I think this shows good faith on both sides and I think it's a good compromise.

Michelle Madoff:

I would like to ask Father Staub of St. Justin's and Fr. McCormley of St. Mary's to please tell their parishioners that we have, indeed, come to a compromise.

The Chair:

The vote will tell.

Mr. Milliones:

I have a question. Is this memorandum of understanding at this point legally binding?

Mr. Onorato:

No, it's a draft.

Mr. Milliones:

When is the agreement to be executed?

Mr. Onorato:

We will immediately work on the final draft of the memorandum and hopefully have it as soon as possible.

Mr. O'Connor:

Are we on a time limit for historic designation? There's no time limit?

Mr. Milliones:

I'm not so concerned about the time limit as I am any changes that would subsequently affect this understanding. So, I will take my peers' word that there will be no substantive changes of this memorandum of understanding, Mr. O'Connor and Mr. Onorato.

Mr. O'Connor:

That has been agreed.

Mr. Milliones:

That will be the basis --

Mr. O'Connor:

The document you have there is agreed so far with the Church and Councilman Onorato has worked all evening and this morning with that. I think we're 90 percent in agreement.

Mr. Ferlo:

I think we need to clarify this point. We are not agreeing today to this memorandum of understanding. That has not been worked out, that is not formally a part of the ordinance, nor is that necessarily on the table. The only thing that's on the table is the words that were just expressed by way of the amendment. We're not agreeing today to the words that are in this so-called memorandum of understanding, which you've only seen one minute ago. We're only agreeing, vis-a-vis, that this amendment, that the actual property in sight will be taken out of the ordinance and it will be done so pending the actual signing by the Diocese and the City of an agreement whereby they voluntarily comply.

So, there's really not much more any memorandum of understanding can say much more than what this amendment says. The amendment says very clearly, and I think what Dr. Milliones is expressing is that we're not getting a pig in a poke here. We're all being up front about the fact that the Church is voluntarily complying to abide by the Oakland Civic Historic District guidelines. Period. There's not any elaborate memorandum that needs to be worked out.

Mr. Onorato:

Councilman Ferlo is correct. The memorandum of understanding, or whatever final document is produced, might have a lot of the same language as the document Mr. Milliones is reading. However, I think the underlying theme of the document that everybody is concerned with is this voluntary compliance. That's what has to be worked out. The other parts of the memorandum might be identical.

Mr. Milliones:

Who is going to work out the memorandum of understanding besides the Church?

Mr. Onorato:

We will be working with them. Council. Anyone on Council here will have the right to review any document before its accepted.

Mr. Milliones:

You have my vote given your good faith effort.

The Chair:

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the motion was approved.

Mr. Cohen:

Mr. President, Councilman Ferlo and I

have an amendment with respect to the Western Pennsylvania School For Blind Children which I think that everybody has in front of them. My apologies if I haven't been able to talk to each and every one of you but this was a fairly late development.

The Western Pennsylvania School For Blind Children has complained that there was no clear specific standard by which they would be judged by the Historic Review Commission and wanted a statement of that standard. I think that this amendment is a good faith attempt to articulate that standard.

Let me read it and then explain it to the best of my ability.

"h) With regard to a proposal for demolition by the Western Pennsylvania School For Blind Children, if, after a good faith effort which would include the retention of an architect, or architects, experienced in historic renovations, or as a consultant to the School's architect, the School can demonstrate that the building can no longer be economically or effectively used for educational programs, the Historic Review Commission will allow for the issuance of a demolition permit for replacement of the main building provided that the green space is not diminished."

Essentially what this does, Mr. President, is it states the standard, what is known as the economic hardship standard, that is used by this Historic Review Commission and has been articulated by the courts also. So, this really is that hardship standard. But it also says that the Western Pennsylvania School For Blind Children must have a study by an architect experienced in historic renovations and also that it put special emphasis on the green space, that the green space shall not be diminished.

Mr. Ferlo seconded the motion.

Mr. Cohen:

Just to complete this, John DeSantis, the Chairman of the Historic Review Commission, was very much involved in this and supports this amendment.

The hardship standard really is applicable to all buildings within the Civic Center but because of the special mission of the Western Pennsylvania School For Blind Children, I felt that we should respond to their complaint by stating this standard.

Mr. Onorato:

I'd just like to comment. This is another example where we show that we can be flexible because I really believe that the people are going to judge historic designation by what we do today and what we do with the existing districts. If we don't show any signs of flexibility, I think it goes to the credibility of the designation. I think Oakland, and the designation process worked, 99 percent of it is in tact with two variations. But, the bottom line is that Oakland, I feel, will be preserved for many, many years.

Mr. O'Connor:

Dan, commenting on that, if this section is every sold, I like what you said about protecting the green space. If anybody buys this 20 or 30 years from now, they would have to follow the guidelines. Is that correct?

Mr. Cohen:

That's right.

Mr. O'Connor:

I like the idea of protecting the green space, no matter who would someday happen to

buy it.

The Chair:

I just want to add my comments because, obviously, I offered an amendment last week that failed deleting the entire Western Pennsylvania School For The Blind out of the historical nomination. I am pleased that my colleagues have come forth with an amendment because, quite frankly, I don't have the votes on deletion.

I have said before and I'll say it again, I don't think any complex or any institution deserves consideration for exclusion or an amendment more than the Western Pennsylvania School For The Blind.

I'm happy that some middle ground has been achieved here. I think it's in everyone's best interest and I'm in full support of it and will not put forth my amendment.

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the motion was approved.

Michelle Madoff:

I think it's appropriate at this time to restate something that many of us, including myself, have stated repeatedly, that responsible action has got to start at the top and it's got to start in Washington. There has to be monies put aside when we take somebody's property because we think it's good for the City, and be able to purchase that property or provide dollars so that the structure of the facade is maintained.

It is sometimes very unfair and we get locked into wanting to do the right thing to preserve our heritage and our history, and yet, we're stuck with the obvious problem which is, how do you take somebody's pocket and fill it with money that they don't have. That's something that we better start thinking about on a grand scale.

Mr. Ferlo:

Mr. President, I don't think we'll every again have an opportunity to vote for the creation of another historic district and a district that actually meets all four of the criteria, as enumerated by the ordinance.

I won't repeat a lot of the justification expressed by supporters and proponents of the creation of the district that were expressed at a lengthy hearing, nor will I repeat last week's lengthy debate on the issue of designation of the historic district, but I would like my comments brought forward.

I do think it's appropriate to thank many of the institutions, large and small, within the Oakland district who for the last many years have worked cooperatively with the staff and members of the Historic Review Commission to hammer out the actual design guidelines.

I'd like to applaud a change of attitude by the major institution in the district, the University of Pittsburgh. I think they've come full circle, at least appearance-wise, from their position a year ago when we saw the demolition and destruction of the Syria Mosque property.

I think we have to hold the University's feet to the fire, as it relates to the creation of the district, but I'm hoping that we can begin to have a more enlightened attitude by a major institution that continues to expand in the open community. We want that expansion and development, but we don't want it at the expense of the architectural and cultural significance of the over 50 buildings in the district that are now assured the safeguards of the Historic District Preservation Protections.

I do want to specifically thank Mike Evers-Myers from the HRC staff who spent a lot of time and articulated in writing a lot of the reasoning for why this district is so important.

I do want to thank Preservation Pittsburgh as a new advocacy group and others. There are many organizations who have expressed concern from the Soldiers and Sailors Board to an endless number of individuals who appeared at the hearing and also called in in support of the district. I want to thank them for their efforts.

It's almost ten years ago, I think it was '82, that this initiative failed because of last minute politics and despite the two amendments I think in the main the ordinance is strong and the ordinance with the amendments does not undermine the basic intent of preserving and protecting what we feel that we have a fiduciary trust to protect and preserve, and that is the Oakland Civic Historic District.

I also want to just thank those folks who helped to kick off this effort under the banner of the Committee to Save the Syria Mosque.

Just in closing, I'd like to take this opportunity to challenge my good friend, Paul Long, and ask that he publicly debate me on the significance of the Oakland district. I don't know if anybody heard his typically pinheaded comments made Friday night, but I would like to publicly challenge WTAE and Paul Long to a debate about the Oakland Civic District, including the issues around the School For The Blind and the St. Paul's Cathedral. I'd like to see him accept that challenge and I'd like it to be televised, and maybe we can both learn something, political pundit that he is.

The Chair:

You came in in a flurry and you're going out in a flurry, right?

Mr. Cohen:

I would like, first of all, to have my comments from last Wednesday brought forward, but comment a little bit about how far we have come in historic preservation.

I think if there's any area in the City of Pittsburgh, and there are certainly many more, but if there was just one, if we were only allowed to choose one area in the City of Pittsburgh which deserved historic designation, I think it's the Oakland Civic Center. It has such an assemblage of magnificent buildings that are not only some of the greatest in the City of Pittsburgh but really some of the best in the entire country, and that being a product of the City Beautiful Movement that we've heard discussed at the public hearing.

I want to follow up a little bit on what Councilman Ferlo said about what happened in 1982. Many of us, I think actually all of us except for Councilwoman Madoff, was not here at the time. But in 1982 the entire Schenley Farms Historic District was nominated for designation.

That included residential but also included the institutional part of the Oakland corridor.

The residential part was designated, but the Oakland Civic Center didn't get one step beyond that nomination. It never even got to a vote in City Council. It was deep-sixed and it was deep-sixed because there was no support, no real support and, frankly, no understanding I don't think of what historic designation really means.

I think that we can be proud here that this is a more enlightened Council, that it not only came up for a vote and not only have we voted for it, but virtually all of the institutions have agreed to historic designation.

Let me just point out one letter right here that was just handed to me about ten minutes ago by John DeSantis from Carnegie Mellon. Carnegie Mellon sent a letter to Jack Wagner and John DeSantis and Mike Evers-Meyer, but here they say that they support historic designation. The Mellon Institute, of course, is within the Civic Center and they talk about the Mellon Institute and saying that it's one of their most important assets and that the University has made a considerable investment in improvements to the building and will continue to do so. Any exterior improvements will be in compliance with the proposed guidelines and there is no consideration being given to the demolition of the Mellon Institute Building. I don't want to just single out Carnegie Mellon because it applies to virtually all of the buildings that are in the district.

That is a fundamental step forward from where we were in 1982. For these institutions to step forward and say, yes, we understand historic preservation, we understand that it has a transcendent value beyond us, beyond our current times, for our children and for our children's children, and that yes, it's worth it for us to preserve it even at a cost to the owner of the property.

I think that's an incredible step and I think a number of people should be congratulated for that. Number one of this Council is Councilman Ferlo because of his really tireless efforts with respect to the Syria Mosque and the Civic Center. Also, Preservation Pittsburgh and Mike Evers-Myers and John DeSantis, all of those folks.

We really should be proud of ourselves. We've come a long way and I think we now understand the significance of historic preservation and that principle has been upheld today.

The Chair:

I would like my remarks from last week brought forward.

(REMARKS ON FOLLOWING PAGES)

(MESSRS. COHEN, FERLO AND WAGNER'S COMMENTS ON BILL NO. 11)
(Wednesday, March 18, 1992)

Mr. Cohen:

Colleagues, this is the bill for the historic designation of the Oakland Civic Center. I think all of you have received a map of what the area of the Civic Center in North Oakland is. We had a three and one-half hour public hearing on this issue yesterday. I know that there will be at least two amendments that are going to be before us today, but I wonder if I could take a moment to set the stage a little bit on the Civic Center.

I don't think anyone here can question the historic value of the buildings that are in the Oakland Civic Center. Virtually, every one of them has great historic value, and I think virtually all of them satisfy all of the four characteristics that the Historic Review Commission has set for designating something as being historic. It includes, of course, the Cathedral of Learning, Heinz Chapel, The Pittsburgh Athletic Association, Mellon Institute. The list goes on and on.

So this corridor in North Oakland is not only one of the most beautiful in the city for its grandeur and for its magnificence, really, but also one of the best in the country.

I think we have all heard about the City Beautiful Movement at the turn of the century and what that movement really meant. Virtually, all of these buildings fall within that architectural reform, which really set to try to take art out of the private galleries and auction houses and put it on the street. It was a populace vision, I think one that said that everybody should be able to enjoy buildings of architectural value like this and really be able to have a feeling of community.

That having been said, I want to commend Councilman Ferlo for his work with the Syria Mosque and his work coming out of that crisis and really leading the way for Preservation Pittsburgh and the nomination of this historic district. The demolition of the Syria Mosque was something I think jarred all of us and made us realize that we could lose the manifestations of our historical heritage, our cultural heritage. Out of that really came this bill to designate the entire Civic Center.

I saw recently an anagram, a Chinese anagram, that said that crisis is depicted as danger and opportunity, and I think that applies here a little bit, because the Syria Mosque demolition was a crisis; we saw the danger, it was the demolition of the Mosque. But we also have an opportunity before us, and that is to designate the Oakland Civic Center as historic.

That having been said, Mr. Chairman, I know there are some amendments that colleagues are going to introduce, and I think we should do that now.

Mr. Wagner:

Thank you, Mr. Chairman. In sitting through yesterday's public hearing, and I know having Councilman Ferlo lobby me on this piece of legislation, I have tried to look at it as fairly as possible, and I think there have been a lot of strong cases made here for historical designation. I think, obviously, that this area is as historical as any area in the City of Pittsburgh, and certainly I think the majority of it deserves historical designation. However, I think there should be at least one exception made.

There was a case made yesterday at the public hearing by the Executive Director of the Western Pennsylvania School For the Blind, Janet Simon, that that school property should not be part of this designation. The board of the Western Pennsylvania School For the Blind has voted on that and Janet Simon carried forth the messages of that school yesterday at this public hearing. We had received information from them prior to yesterday's public hearing, yesterday at the hearing and even a letter written to all members of Council and delivered this morning. The case that has been made I believe is a justifiable case, that the people that utilize that campus for people that are severely disabled should not fall under the guidelines of historical designation, the reason being that it will cause a serious hardship for the school in the future and that they should be treated differently. I believe that their case is a justifiable case. I believe if we do designate it as historical, it may, in fact, impede progress on that campus in the future, it may cause additional financial hardships, such that they cannot do what they need to do for the students that are part of that school. Truthfully, the students that are part of that school I think deserve as much consideration and latitude from this government as any group of people in the entire City of Pittsburgh. We cannot handcuff people with severe disabilities, people that are blind, in terms of any progress that they want to make within their physical structure, their physical plant, at that location.

Therefore, I am asking all of you to make an exception here today. In addition to it being the right thing to do, I also think from a legal point of view if we were challenged, if we pass this ordinance in its present state and it included Western Pennsylvania School For Blind Children, legally I don't believe we would be on solid ground. In addition to that, I think potentially we could be embarrassed if they won a lawsuit against us and our historical designation of this property.

I know I have lobbied each and every one of you. I started with Mr. Ferlo in trying to get an amendment be made by him, because it is his bill, to this legislation. I truly was not aware that the bill would be up for a vote today until yesterday; therefore, I have been lobbying yesterday and this morning for an exception or exclusion of the Western Pennsylvania School For the Blind. I know others, primarily

Councilman O'Connor, has been lobbying for the Diocese of Pittsburgh, an exclusion, and I want you to know I am committed, and hopefully all of you will be, to make an exception. I said yesterday that this would be the only exception that I would vote for. However, in lobbying for these votes, I may vote for other exceptions, because I feel so strongly about Western Pennsylvania School For Blind. I really think a hardship will be placed on them, and we in public life that do not live with the hardships that those people live with should listen to them. They are talking to us, they are asking us for their consideration, and I think we should grant it.

Therefore, I would like to put a motion on the floor to delete the Western Pennsylvania School For the Blind and their property from this historical designation.

(Deleted text.)

Mr. Ferlo:

Mr. DeSantis, just to remind Council, in approving the ordinance today, we also approve a set of guidelines that are peculiar to that district. These guidelines are different than the other guidelines established for the other districts, be they residential or commercial, around the city. I sympathize with the concerns initially raised to me by the School For the Blind several months ago when I first made the nomination, and I sympathize with what Mr. Wagner has expressed. It is for that very reason that the guidelines are different, because, in fact, the guidelines do take into consideration the concerns that Mr. Wagner has, be it the special needs in terms of any design issues on the issue of making the building accessible, the guidelines deal with that issue, As you say the guidelines do allow for demolition. I guess what I am saying is I think the concerns that we are raising are somewhat premature at this time. We do not know -- the School For the Blind admits they have not done a master plan. They were beginning to do an initial feasibility on the possible demolition of the old building and building a new one. They halted that in light of the nomination. I am saying the concerns, albeit legitimate, are somewhat premature. I would want them to still go through the due diligence and through the review process to yet determine whether or not the building could be rehabbed and adaptively reused, and at possibly a cheaper cost than demolition and new construction. I am only saying if there aren't the guidelines in place, that if they aren't included and if they are excluded, then they will not even go through that regiment of doing that process. I am asking obviously that Council please consider voting down this amendment.

(Deleted text.)

Mr. Cohen:

Mr. DeSantis, let me, if I could, follow-up with Mr. Ferlo and Mr. Onorato by asking you a couple questions about these guidelines.

You provided us with a copy of the guidelines, and there is one section called "Demolitions," it is section (G) here. I am not sure I understand what a couple of the factors are, I think they relate to this. One is (G) under "Demolitions" it says -- by the way, these are all factors in your determination as to whether to allow for a demolition or not. And factor (G) says, "The ability of the owner to use the structure in a manner compatible with its organizational purposes." What does that mean when related to the School For the Blind?

Mr. DeSantis:

Councilman, it would be different for each organization. For example, a Church structure has to use their structure in a certain way. The School For the Blind not only has certain uses, like classrooms and dormitories and offices and dining halls, but it also has, frankly, a certain clientele that has to be able to use those facilities.

That building currently is far more accessible to people physically challenged than you were led to believe yesterday. I don't know how many of you were through that building. I have been through that building, and with very, very minor modifications that building could be made infinitely more accessible for those people.

However, regardless -- and I know where you are going with this -- the simple answer is, yes, we would, in fact, have to take into consideration as part of these guidelines the clientele who use that building. The fact that this particular clientele is different from the clientele that use the Cathedral of Learning on a day-to-day basis certainly has to be part of the equation.

Mr. Cohen:

One of the points raised by Janet Simon yesterday was the Americans With Disabilities Act. She really said about making it accessible to the people who use the school; obviously, blind and visually impaired. But it is a little bit of a misnomer for the School For the Blind because it is not just blind and visually impaired people, but people with other physical handicaps, as well.

If the Americans With Disabilities Act requires certain things to be done to that building, can the Historic Review Commission stand in the way of that?

Mr. DeSantis:

No. It is not a matter of whether or not we can, it is that we wouldn't. It affects the city's federal funding, quite frankly, and we are an arm of the city. The answer is that we regularly already, and for several years, have been reviewing modifications to existing buildings in existing districts that are part of the ADA structure. The fact that the ADA structure is just currently being phased in legally hasn't changed the fact that for a number of years now businesses especially, for example, in the Market Square and Penn-Liberty Historic Districts Downtown, have been making modifications to their buildings to meet the ADA requirements, knowing that those requirements were on their way.

So we currently do make approval and, of course, when ADA comes into play, you should know that it means that the building has to be accessible, it doesn't mean, though, that every entrance has to be accessible. Using the School For the Blind specifically, everybody is familiar with that site, there is a very steep flight of steps that goes up the front porch of that building. The ADA doesn't dictate that that set of steps has to be accessible, it dictates that that building has to be reasonably accessible, so what you do is you find the most cost effective way of making that accessible.

Mr. Cohen:

The word "trust" came up, and I think you said that the School For the Blind doesn't really trust the Historic Review Commission, or at least there is some reason to believe that. You know what? I think people have often good reason not to trust government. But I point here at the Americans With Disabilities Act, that even if the Historic Review Commission were to not be as sensitive to accessibility by the disabled as they should be, the federal law for the Americans With Disabilities Act will obviously take precedence over your local decisions.

Let me ask you one more thing, and then just wrap my part of this up.

If we take the School For the Blind out, from an historic review perspective, you notice that is kind of on what I call the "upper leg" of the Civic Center here on the map, would we also have to take Schenley High School out?

Mr. DeSantis:

I think we would have to. I can't think of any way of gerrymandering that map to leave Schenley in. So you would be losing not only the School For the Blind site, but also the Schenley High School site.

I would point out to you, and it was pointed out in the public hearing yesterday, that if you take both of those out --

actually, if you took either one of them out, you are losing a major visual point in that district. Schenley High School is the entrance to the district from the west, and the School For the Blind is a key corner of that district. Both of these -- really, neither of them is an insignificant structure and neither of them is an insignificant piece of the overall puzzle of Oakland. Either one would be a significant loss.

(Transcribed by Helen L. Kreibel)

(CONTINUATION OF COMMENTS BY MESSRS. COHEN, FERLO AND WAGNER ON
BILL NO. 11, WEDNESDAY, MARCH 18, 1992)

Mr. Cohen:

This is difficult and it's difficult because of the organization which is the School of the Blind and I want to commend Councilman Wagner for this amendment because it's obviously with the best of feelings toward the School for the Blind.

I can't vote for it and the reason I can't is that I truly feel in my heart that this designation is not going to hurt the School for the Blind at all. That the guidelines and the law for historic designation allows for demolition, that it's a process. It's a process for review of this historic structure and I don't want to see Schenley High School come out of the district because I think that's the cornerstone of the Schenley Farms development area and frankly I don't want to see the School for the Blind out either.

At least you have told me that this building is in the Italian Romanesque style and one of the few buildings of this type of Italian Romanesque style and I think what designating it would do is say, "Wait a second. Before there is any demolition or major alteration, let's step back and go through a process." The process may well result of that building but this building of Italian Romanesque style is such that we should at least step back and have the experts look at before we decide to demolish it and for that reason I think that it's worth designating.

Mr. Wagner:

Final comment. I think what this Council needs to do is step back and look at what we are proposing to do. When we talk about the American for Disabilities Act, this school has been meeting and exceeding in many ways for years prior to the passage of that act, let's not kid ourselves when we talk about what this school needs to do and what they have done. They have been in existence for 98 years on this site. This property was deeded to them by Mary Schenley. They cannot use this property for any other purpose. They have done everything possible to help the students at this school. They have come to us and told us this that they do not want to be impeded by us with the Historical Review Commission by us giving the Historical Review Commission the authority to rule on their site and we are saying here at this table that we know better than they know on how to treat their students on their campus.

Let's be fair about this. There's no one at this table that lives with the disabilities and the problems of anyone on that campus, and they are asking us and that is the reason why I waited on my opinion on this issue until the public hearing

yesterday. They are asking us to make an exception. And all the historical issues that have come in front of this Council, there is none that has more justifiable reason for an exception than the Western Pennsylvania School for the Blind and if there is one tell me. I ask anyone here to tell me what it is. And it's this school and again I'm making a request. They are not going anywhere. They have been there 98 years. They are not going to harm the historical area of Oakland. They have done everything they can do to fit in there in a historical way in a manner consistent with the neighborhood. They intend to do that in the future. They simply want to make their own decisions for their people. Their people that many times are not treated fairly in this world and I for one think they do a heck of a job and I want them to continue to make those decisions.

Mr. Ferlo:

Mr. Chairman, there are several churches in that have come forward and legitimately they have expressed themselves to have Saint Paul's property removed from the designation and obviously I don't support that and it would be my hope that Council would keep this very important property.

I'm not going to get into the discussion about the separation of church and state or even talk about what goes inside the church, that's really not the issue here today. The issue is limited to maintaining the architectural significance or any alterations to that significance of the exterior of this building. Obviously I think people who might sympathize with this amendment would agree that it is obviously a significant architectural wonder, the St. Paul's Cathedral property, and that it really serves as sort of the keystone or the cornerstone of this whole nominated district. None of the other churches to my knowledge including the First Baptist Church or any of the other churches that have come forward to oppose being included in the designated zone.

I guess to paraphrase something Mr. Onorato said yesterday. When you think of historical designation and the importance of maintaining our sense of history in this country, we think of buildings as 60 or 70 years old and in Europe and elsewhere we talk about churches and other significant institutions, especially in the city of Rome, Italy where we're talking about buildings of significance and important several centuries old.

I would ask in response to Mr. O'Connor about Preservation Pittsburgh being a one-year old group or Councilman Ferlo being here for a four-year term that we think of the Ordinance and we think of our vote in creating and safeguarding the nominated district not as something just one year or five years or ten years but that what we're trying to do is being a fiduciary trust to preserve and protect the Oakland corridor including the

significance of the St. Paul's Cathedral and that we look at it not as something politically significant right now today or next year or five years from now but that indeed unlike some of the buildings that the National Development Company has built in the district, the St. Paul's Cathedral given it's architectural significance, the significant input of the Diocese in maintaining their own building which they themselves have spent hundreds of thousands of dollars restoring and maintaining the quality and the character of the building that we look at the designation not in five years or ten years but that we're designating buildings that because of their splendor and their architectural significance are indeed buildings that can be here for 200 years including St. Paul's Cathedral and I would just ask that we vote down this amendment and include this property.

(END OF COMMENTS)

PREPARED BY: MARY ANNE HRUSKA
STENOTYPE REPORTER

Also,

Bill No. 450

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Highland Park Community Club for furnishing of professional services for the benefit of the resident of the City of Pittsburgh, at a cost not to exceed \$8,000.00, chargeable to and payable from Code Account 1103 (110304), Miscellaneous Services, Department of City Planning."

--(SPONSORED BY MR. FERLO)

Which was read.

The Chair:

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Ferlo presented

Bill No. 507

Report of the Committee on General Services for March 18, 1992 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 419

A Resolution entitled, "Resolution providing for a contract(s) or to exercise against existing contracts for the purchase of roof top air conditioning units for the Public Safety Building in an amount not to exceed Thirty-Two Thousand One Hundred (\$32,100.00) dollars and providing for the payment of the cost thereof."

Which was read.

Mr. Ferlo:

Mr. President, I'd like to recommit Bill No. 419.

Michelle Madoff seconded the motion.

WHICH MOTION PREVAILED.

Also,

Bill No. 420

A Resolution entitled, "Resolution authorizing the Mayor and the Director of the Department of General Services, on behalf of the City of Pittsburgh, to enter into a lease agreement or agreements, in form approved by the City Solicitor, of a City-owned 1972 Mack (PE-X-32) Pumper to the Borough of Tarentum."

Which was read.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 430

A Resolution entitled, "Resolution providing for the letting of a contract or contracts or use of existing contracts for the furnishing and delivery of office equipment for the Department of Public Safety, Bureau of Building Inspection and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Darkins	Mr. O'Connor
Mr. Ferlo	Mr. Onorato
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES 1

(MR. RICCIARDI VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

MOTIONS AND RESOLUTIONS

The Chair presents

No. 517 Resolution reappointing Robert C. Watson, 3459 Shadeland Avenue, Pittsburgh, Pennsylvania 15212, as a City Magistrate for a term to expire January of 1996.

Which was read.

The Chair:

If Council has no problem, I would appreciate a motion to approve this.

Mr. Ferlo:

Can we get a clarification as to the status of the Housing Court Magistrate as it relates to these renominations?

The Chair:

Yes, we can. We have two others that I'm

going to ask, because they're new appointments, that the come in front of Council.

Does any Councilmember want this individual, who is a re-appointment, to come in front of Council for review?

Mr. Ferlo:

Motion to approve the nomination.

Michelle Madoff seconded the nomination.

The Chair:

Is there any further discussion on the appointment?

And on the question, "Shall the appointment pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the re-appointment of Mr. Watson was approved.

Also,

No. 518 Resolution appointing Donald Machen, 1256 Beechwood Boulevard, Pittsburgh, Pennsylvania 15206, as a City Magistrate for a term to expire January of 1996.

Which was read.

Also,

No. 519 Resolution appointing Louis C. COles, 3220 Webster Avenue, Pittsburgh, Pennsylvania 15219, as a City Magistrate for a term to expire January of 1993. Mr. Coles is replacing Donald Turner.

Which was read.

Mr. Ferlo:

I move that they come before Council, Mr. President.

Michelle Madoff seconded the motion.

Mr. Ricciardi:

I would also like to ask the Chief Magistrate, Ms. Ruffner, if she could also be there tomorrow.

The Chair:

First off, I'm not sure it is tomorrow. We have to find out what dates are convenient for them and I'd like to coordinate that with our schedule and make sure that we don't have an excessive agenda. Mr. Milliones can let Mr. Perry know about that but certainly whenever it's convenient for all.

Mr. Milliones:

If we can arrange it for tomorrow, let's try it. If not, as soon as possible.

Mr. Ferlo:

And, as part of that, Mr. President, can we get clarification on the Housing Court Magistrate status?

The Chair:

Yes. Could we have that by tomorrow, please, Mr. Perry?

All in favor of having both people come in front of Council, signify by saying aye. Opposed?

WHICH MOTION PREVAILED.

Mr. Ricciardi:

In clarification, Mr. President, my request is that the Chief Magistrate, Sue Ruffner, also be with us.

The Chair:

Thank you.

Michelle Madoff:

Very quickly, I have three little issues. As I pointed out, there was a story in the newspaper that I happened to catch the other day which talked about the City being awarded \$580,000 which is better than a half million dollars, because of a crash. I think it is imperative that this Council have a picture of what is happening in the City. You can't imagine that any business would ever, ever not know in what department of its operation they were having accidents, what the cost is in liability, medical expenses and disability, and we need to have that. Ten years ago I prepared it, I did it by month, by department, and what we did is to head off the problem in the future substantially. We brought the accident rates down by putting in a training program. We started an inebriation program with the Salvation Army; we've since funded it, we've increased the dollars to it, and we have done things to help people, not to hurt people. But if we don't know what we're doing, if we don't know what we're

dealing with, we can't even address the issue.

What I'm saying, for those of you who may be listening, that we want the following claims, those under \$700, and incidentally, these are all listed in our quarterly reports in lump sum. We want the claims under \$700. We want the claims over \$700 that do not come to this Council, and we finally got this, which are those that are awarded by the courts go directly to the Controller's Office and that we don't have any total or picture of. We don't know from what department they come because they come one at a time. And then there are the claims that are over \$700 that come to this Council which are negotiated, that our Law Department says, well, we're better off to settle, and we agree to settle or we vote not to.

There is no total picture of the debt of this City on claims under \$700, over \$700, as I pointed out, for those awarded by the courts or those that are settled by this Council. And without that kind of picture, I don't know how this City even begins to function. Thank God for Kurt. If we didn't have Kurt we wouldn't have any idea of where we're headed. He's fabulous at preparing visual charts on the computer and he has been gracious enough to do this job. But it's got to be taken over by the City. We don't run the City. We'd like to, in some instances, but the fact remains that we do not do the administration of the City and I can't imagine a corporation with an administration and a corporation that wouldn't have at a moment's notice where are the problems, how much are they costing the taxpayers, and what can we do about it, which is the natural outflow of that kind of information.

So, I would like to ask Mike, I've tried every which way, would you prepare a piece of legislation that says they must prepare it and give it to us quarterly. And I would hope that my colleagues would support that because I can't imagine that you wouldn't. You've stated here in

Council that you believe that is important.

That leads me to the next item of business. We are approaching May 1st and I would like to know the status of the Controller's annual audit. In previous years, the Controller has stated that the reason he couldn't give us our audit was because the City didn't do its job, didn't get its information in time. And in many instances he was right. I tell it the way it is; he was correct.

Now I want to know if that is still the case or, as I have heard, that the City has got its information in and the Controller's Office is behind in getting the information; he's spending a lot of time in court.

But, May 1st, we are into the bond issuing business at some point. We can't go into the market without this kind of information. It costs us money. We must have this information no later than May 1st and I would ask that the City Clerk, on behalf of Council, write and get us a status report from both the Administration and the Controller's Office as to how the May 1st audit report for this Council and the City is coming along.

One last item. I read in the newspapers that Council's overspending allocations were to be frowned upon. I think this needs to be straightened out.

I was one of the people that was —

The Chair:

May I interject on that?

Michelle Madoff:

No.

The Chair:

Go ahead. But I requested Mr. Perry to do something for all Members of Council.

Michelle Madoff:

I think we need to straighten it out. I think the information was inaccurate in a sense. The reporting was accurate but the cause was inaccurate.

Two years ago I went to Mike and the President of Council and said, and you will substantiate this, "Mike, we need to set up a fund during our negotiations at budget time to have uniformity." That is the same as what the City supplied its department heads.

In other words, we are given an allocation of dollars and that allocation of dollars allows me to pay — I will tell you that I don't think anybody in my office gets more than \$21,000 and the others get ten, twelve and fourteen. It's bizarre. Very little pay for some ten years of employment in one case. I've had to put my people on part-time because I just don't have the money to pay them. And I was touted as having not overstepped my budget allocation. Frankly, it could have happened to anyone and there by the grace of God go I.

What has happened is that if any of us lose an employee, we have to pay the mandated benefits. And those benefits for sick days, personal days, etc., would use up our dollar allocations so that we couldn't hire anybody. It would take away from the limited dollars that we have.

So, again, I suggest that in the next year we have the same uniformity that the City has that takes care of that obligation and does not come out of our allocation for salaries so that it would not appear that somebody did something wrong

when, in fact, they really didn't. What they did was pay, I think, very fair and perhaps low salaries compared to the private sector.

But this is something that has been distorted to make it look like my colleagues did something wrong, and they really didn't. And I thought since I was one that wasn't accused, it would be appropriate for me to speak out on that issue.

The Chair:

All I can tell you is that there will be an updated report to all Members of Council on the status of that situation, within a week.

Michelle Madoff:

But you would agree that we need to get a fund set aside, same as the other department heads have.

Mr. Ferio:

On an unrelated issue. When I woke up this morning I was upset not only to hear about Bill Clinton and the Seahawk Submarine but more importantly, on the local front, a situation regarding the Port Authority strike. I don't think I'm alone when I talk about how this strike is adversely affecting my district. I think we all have similar problems, but I know in my district I would say about 40-45 percent of the people who live in my district rely on public transportation, not only for, most importantly going to work if they're fortunate enough to have a job, but more importantly I have a disproportionate percentage of elderly people and low-income people who heavily rely on the Transit Authority for everything from getting to physician offices and hospitals to just the daily reality of trying to shop and survive.

Let alone unbelievable, I find it totally

reprehensible that either party, and both parties, are not willing to get themselves locked into a room and not come out of it until such time that there's a resolution to this strike.

Personally I feel, and I felt this way right from the beginning, that the union made very reasonable requests regarding cost of living considerations, based on what Philadelphia got in the strike. I don't feel that Port Authority Division 85 Amalgamated Transit Union were out of line. I've never known a union to put its chips on the table requesting things knowing full well they weren't going to get everything. It's just part of the reality of negotiating.

But, the bottom line, I don't think the initial request by the PAT union on behalf of the drivers was unreasonable or so out of line, one, non-concessionary on health care; and two, a small cost of living consideration. We're dealing with a public corporation and not a private corporation and I think we should remember that.

Personally, I feel Director Millar should remove himself from the negotiations. I think he's part of the problem and I think he can no longer be an effective tool representing the needs that we have to try to resolve this strike. That's my own personal opinion. I think he should be removed and I wish Tom Foerster would remove him and get on with the business of resolving the strike.

But setting my own personal view about Mr. Millar and his negotiation style and the fact that I think he has helped to create this impasse, and he's the only one that we can hold accountable, I can't go out and suggest that Mr. Klaus and other be unelected by the union. I think Millar should be removed from negotiations, somebody else should be brought in, and we should try to resolve this.

But, as far as a motion that I would like to

make, setting aside my own personal view about Mr. Millar, I would like to make a motion that through the President we set up a face to face meeting with Commissioner Foerster. I think he's the only person right now that we should hold accountable. He's the only person who appoints the Commission and Mr. Millar and others owe their job and livelihood to Commissioner Foerster.

I would like to respectfully request that we meet face to face with Commissioner Foerster and that we win him over to a basic principle, and that is the following: That both of those parties, Millar if it has to be, be locked into a room and they not be allowed to come out of that room until there's an agreement. We know from reading the papers that the State mediators have volunteered their services; obviously they should be there and they could be very helpful in resolving this.

But this is no longer acceptable. We have people that are actually going hungry in this City now because they cannot get out and deal with shopping. We have a lot of people who are in need of health care services that cannot get out. We basically have pandemonium.

What I want to say to the Commissioners and the others is, we're not Fox Chapel. Fox Chapel is very unaffected by this strike. They get in their little cars, they come down to go to work. Most people don't rely on the services of Port Authority Transit. The City of Pittsburgh is disproportionately being screwed during this strike and I think we should resolve it and get on with bringing the two parties together for a resolution.

The only way that's going to happen right now is for the appropriate people to show some leadership. And that, unfortunately, at this point, is Commissioner Foerster. He has to get both parties in the room, put a sheriff outside the door, get the State mediators in there and say no one is

leaving this room until this strike is resolved.

We're being disproportionate affected. This is a public authority. We're killing Downtown businesses right now because of the strike. We're hurting people because of the fact that they have a difficult time getting to work, and all the other considerations that we've talked about. This is outrageous and I don't think Council should be silent on it.

So, I respectfully make a motion that through the President we ask for a face to face meeting of Councilmembers with Commissioner Foerster for the specific purpose of asking him to get both parties in the room, locked until such time that they agree to come to some resolution.

We have two parties right now that are saying, "Well, we don't think we want to meet this week." That's B.S.

The Chair:

There's a motion on the floor by Councilman Ferlo to set up a meeting and the purpose of the meeting also is part of the motion.

Michelle Madoff:

Second for discussion.

While I agree in principle with Councilman Ferlo that we ought to get on, and certainly it's inexcusable to say they're not going to meet this week, I just had a call from some sisters, nuns who just can't get into town. They can't get to medical service. They can't get to see their elderly mothers, and so on. Everybody is affected. And without question, more people don't have cars than do have cars and it's something that must be resolved quickly.

I don't think it's fair to put the blame solely on Bill Millar who is a very fine man and

runs a very fine service. The fact remains that it's a combination of problems with the economy. It's certainly not going to allow us to keep raising fares and we've got to come up with some solutions.

I'll be happy to meet with Bill Millar. Bill, I have a great idea how the bus lines can make some money to subsidize their fares, and that's what we have to do.

The Chair:

The motion on the floor is not to meet with Mr. Millar.

Michelle Madoff:

But I don't think it was appropriate to mention that he was the villain in this plot because he's not.

Mr. Cohen:

I also don't share Councilman Ferlo's view about Mr. Millar but I certainly share his view that we need more leadership in this massive crisis.

What I see is both sides digging in to their unbending positions, and that's not what we need right now. What we need is some leadership to get the two sides together and get a settlement. That's the thing that has to be done because the one party that is not at the table is the people who are suffering because they don't have public transportation. And if they were at the table, this thing would be solved today.

So, I certainly support the motion.

Mr. Darkins:

Mr. President, every morning I have been going to the one site, the East Liberty Garage and

not trying to be a great samaritan or anything like that or a humanitarian, but I'm very much concerned with this strike that is going on. It's not only affecting Downtown; it's affecting the outer parts of our City also.

I have to say that after talking to those drivers ever since the strike has been going on, I've been there for two hours every morning carrying donuts and coffee or whatever there to talk with them, I've come in to find out and realize that they are on strike and they're asking for that \$600 up front to protect their coverage of pensions or whatever the medical.

And then, as Councilman Ferlo has brought to the attention of City Council today, and I'm not condemning Director Millar because he has bosses and his bosses are the County Commissioners. That's what the men are asking for. They want someone to take the bull by the horn and come forth and as elected officials I made a statement this morning, I was going to present a resolution in regards to that effect and Mr. Ferlo has got on to it.

So, I really think we should be sitting talking with them and let's do it real soon because one rider wrote in the paper and said that it's now fallen into the sand. If it has fallen into the sand, that means that it's not going to be resolved any time soon.

And you really have to go out there and stand with them and talk with these men. It's alright to see it on television, but to hear their complaints. They are our constituents in every Council district. In all nine Council districts these are our constituents and everyone is being hurt by it.

Mr. Ricciardi:

Mr. Wagner, I believe Councilman Ferlo's frustration and maybe some anger shows

the gravity of the problem we have here, that the transit strike is definitely affecting everyone in the City of Pittsburgh and Allegheny County in terms of either inconvenience or even traffic congestion. But more, it's really affecting low-income people, students and the elderly.

I'd like to bring this back and show an example on how important this is. Last night two students trusted my wife and I to ride them home. One was from Brighton Heights. But let me talk about the student from St. Clair Village. Every day she walks from St. Clair Village to the campus at CCAC, takes classes. Later in the afternoon she walks to Downtown Pittsburgh to work a minimum paying job, walks back to CCAC to continue classes, and then late at night, at 9:00, walks home to St. Clair Village. This person is courageous, she's heroic, and she's adamant about continuing school and working that job. But how long can she keep this up?

I think what's important, and maybe both sides might criticize me on this, but it's not to take sides on the issue on what's involved on the table because I'm not privy to all the discussion and negotiations that they've had.

I would like to support Mr. Ferlo's amendment in just asking the two sides to grow up, to get back into negotiation room and to come up with a deal that is both acceptable to the taxpayers, to County government, and to the riders.

Mr. Ferlo:

My motion is that through you, Mr. President, we set up a face to face meeting with Tom Foerster. We explain all that we need to explain, and that we ask and prevail upon Commissioner Foerster who at this point really is the only point person who can intervene in the way I'm suggesting. The suggestion is, that Mr. Foerster and Sheriff Coon, if we need the sheriffs,

that those two parties, both sides, the union and Director Millar and whoever the negotiating team is, along with the State mediators, that Mr. Foerster get in a room together with those parties down here at the William Penn or anywhere else, I'll even pay for the room and the coffee, and that they not leave that room until such time that there's a resolution to this strike.

Mr. Cohen:

I support that motion.

Mr. O'Connor:

I'm concerned with the lack of input City officials, including ourselves, have in this strike where I think we lose the most, the elderly and the lower income of the City. As Councilman Ricciardi just mentioned, and the Bishop, we're suffering the most and we have no input. And if Jim can bring them to the table, I think they owe us more respect, at least to update us. Things like a 90 day cooling off period, I think both sides should go back to work and start talking and not hurt all the people. In the long range, I think they're hurting themselves because the more people finding alternatives may never be back to transportation and it's going to lose more funding and less dollars.

So, it's a vicious cycle and I agree, I think we should bring one of the County officials in. I think they owe us that because most of our constituents are the ones doing the suffering. At least update us and hear our suggestions and whatever we can do to help in this situation. It's drastic. It's getting very bad, especially for the lower income people.

Mr. Onorato:

One quick comment. I want to make clear that we don't keep using the words "we" and "them", "city", suburbs".

I think Mr. Ferlo's request is a good one that this body, representing the largest municipality of this County, has a right to call on our Commissioner to explain a problem affecting the largest municipality in this County. We always forget sometimes. We think we're two separate bodies that don't overlap, but we do overlap, and he is our Commissioner and we have that right to have him come to the table.

Mr. Ferlo:

I agree with that but I just want to make it clear, and let's lay the cards on the table financially. If it wasn't for the City of Pittsburgh and the City of Pittsburgh ridership, there wouldn't be a transit system. The 10 or 12 people that jump on the 91A out in Fox Chapel don't support that 91A. The people that support it are the 80 percent of the riders that jump on it in Lawrenceville and end up Downtown. It goes through three other neighborhoods.

The same thing holds true for every other bus you can name. The Stinkin' Lincoln, you know who supports that? It doesn't come from Penn Hills; the people that ride it from Homewood on down, that's who supports that bus.

I could name every bus route that comes outside the City. The point at which it becomes profitable is the point at which it crosses the City line. Disproportionately City residents pay for and support the transit system. Disproportionately, we pay for it also because of the elderly ridership and the reimbursement from the State Lottery Fund back to the Port Authority.

So, I'm not saying that I agree with Mr. Onorato. I'm not trying to get into "we" and "they". But let's be honest about who actually supports this transit system. All those little suburbanites are having a bus system because it

runs through the City and we disproportionately pay for it. It's about time they both get in the room and settle this damn thing.

Mr. Cohen:

I agree with what Councilman Ferlo is saying. There are certain groups that really are impacted most harshly. We've mentioned the elderly, but the blind and visually impaired also in particular. They cannot use Access, they can't now use public transportation through the Port Authority, and basically they're stuck in their homes. I think what's going on here is that both sides care so much about winning this dispute, that they forget that the people who are losing are the people they're supposed to serve. And those people are losing every day.

Mr. Milliones:

I generally support Mr. Ferlo's comments, particularly as they relate to the subsidizing of public transportation. If it wasn't for the City, particularly the inner-City, Port Authority would not exist. They pay more than their fair share.

So, I think it seems to me that the problem is that both parties have forgotten, and apparently don't care, that the public and particularly the inner-City, is suffering. If they don't seem to be a part of this equation, and they don't seem to be a part of these negotiations, I would further state that I think it would be counterproductive, however, to meet with the Commissioners and to take a side. My interest would be that this problem get resolved without blaming one side or the other.

The public really is the one who is suffering and we need to bring this strike to an end.

The Chair:

We have a motion on the floor. I'd like to put another motion up on the issue but I don't want to cloud it with this motion. I think your idea is still a good idea.

Mr. Ferlo:

Just to clarify one thing. My reaction when I heard this at 6:30 in the morning on KQV Radio, what's going to change in a week? Nothing's going to change in a week.

The Chair:

Let's vote on the motion. All those in favor of having a meeting with Commissioner Foerster signify by saying aye. Opposed?

WHICH MOTION PREVAILED.

The Chair:

Now, if I may just add a comment myself, I'm also frustrated, as all of you are, for the reasons that all of you have stated. Quite frankly, the change in the State law in 1985 has helped to cause the problem that exists today. There hasn't been much written about that publicly, but quite frankly, binding arbitration before solved the problem when, in fact, that is not the case today.

I really think, and Councilman O'Connor alluded to it, that we should be suggesting to both sides that they go back to work immediately, as soon as possible, and to continue to negotiate while they go back to work. And to set some time frame by which they would negotiate, 90 days, 120 days, and during that time frame determine what issues can be agreed upon and whatever issues cannot be agreed upon within that time frame, after that 120 days, and I think it should be 120 days because the State budget passes I believe July 1st and they will know the kinds of

dollars that they will be getting, if after 120 days there are certain outstanding issues that have not been resolved, they should go to binding arbitration. And if we could get some kind of an agreement or suggest that very strongly as the number one municipality for all the reasons that each one of you have stated, I personally think that's what we should be doing.

Mr. Ferlo:

I was hoping that those are some of the things we could talk to the Commissioner about.

The Chair:

I think us making those kinds of recommendations, even now --

Mr. Ferlo:

I'll second the motion to communicate that to the respective parties, if that's what you're requesting.

The Chair:

The motion is that we would ask both sides to go back to work and start serving the people, as all of you have indicated is so necessary, immediately, and to continue to negotiate and to set a time frame by which those negotiations would continue until they know precisely their financial situation, if that's 90 or 120 days, and at that point whatever unresolved issues are still outstanding, go to binding arbitration to resolve it.

Mr. O'Connor:

Mr. President, if they go back to work for 90 days, everybody wins. The workers get their benefits back, the buses are rolling and all the people ride a bus and get to work. The Downtown businesses are being devastated;

businesses are closing earlier. Everybody is losing in this case and I agree with you that we should send a strong recommendation and try to go back to work and work their problems out. If they can't do it in 90 days, then Commissioner Foerster should look at who the leaders are, including management and labor. The both are losing here and they should come together. It's not hurting the malls at all.

The Chair:

There's no doubt this is devastating the City moreso than anyone else and we should, I think, send a strong message.

We had Mr. Pulte in here from Horne's today. I spoke with him before the resolution and I asked him to what degree is the strike harming Horne's business. He said, "Our business is down 40 percent in the last week."

Mr. O'Connor:

Fast food restaurants are closing earlier. After 6:00 nobody is in town. And again, the lower income people are the ones that come down and shop on Saturdays and they're suffering the most.

The Chair:

With that motion, I think we should make, in addition to setting up a meeting, a solid public recommendation.

Mr. Ricciardi:

I just needed a better clarification on the motion, Mr. President, and it was the binding arbitration motion at the very end. Obviously, without being that involved myself and not knowing the background and some of the finances or whatever, I'm not sure the binding arbitration is the problem I have. I'm not sure if

I'm in a position to make that recommendation to either party, especially in terms of the Port Authority Board if they should go to binding arbitration or not. That's the reason I was trying to fully understand your motion. I accepted it and I support it all the way up to your last two words that they should go to binding arbitration. I'm not sure if I'm in a position to make that recommendation. I would hope that you would have stopped right before you mentioned binding arbitration until we get into that room with Commissioner Foerster and understand the whole concept better.

The Chair:

The situation that we're faced with today is nothing happening, based on what I read in the media, and I don't know the issues on both sides.

Mr. Ricciardi:

It's difficult to know that because we're not in that room.

The Chair:

But, if they don't go back to work and if they don't continue to negotiate, and they don't have some point by which something has to happen, nothing is going to happen. That's the reality of the matter today.

Mr. Ferlo:

Mr. Wagner, I think your motion was that following the 120 day period, the issues that are still unresolved, which may be one or two or five or six, that those issues go to binding arbitration. If we had binding arbitration, there wouldn't even be a strike right now, to be honest.

The Chair:

That's right.

All those in favor? Opposed?

Mr. Ricciardi:

Abstain.

WHICH MOTION PREVAILED.

Mr. Ricciardi:

Mr. President, if I may. To my colleagues, I promise to be brief and the reason is that it's a subject I've spoken about in the past, and my colleagues have been very patient while I discussed it, but it's concerning the Crime Lab once again. Please be patient and I'll get through this in 60 seconds.

On March 10th, we enacted legislation authorizing the Administration to enter into an agreement with Allegheny County to provide forensic laboratory services to the City at a cost of \$18,844. Mr. Onorato amended the bill which we all accepted that it would be valid only upon a written commitment by the County to reimburse the City for these costs if and when the County receives funding from the State.

The City Clerk informed me yesterday that the bill did come back from Mayor Masloff. Unfortunately, the bill was not signed. That does mean that the bill becomes law but I believe it shows that Mayor Masloff is not committed to the bill.

As I've said in the past, we were not surprised when the Crime Lab closed. We were first informed in November of 1991.

What I'm saying, colleagues, is that we need a plan. We need a plan of action on how we're going to deal with this evidence. I'll accept any reasonable plan from Mayor Masloff; however, we need to do something.

The evidence right now is overflowing. It's overflowing to such an extent that we've moved the evidence from different places. I'm not going to mention the locations, but in one location we're storing the narcotics. The locker overflowed. In another location we're storing weapons. In another location we're storing body fluids. And any time we have evidence, that means we've had crimes that were committed. And any time we have crimes that were committed, obviously that means we have criminals. Either criminals that we're not prosecuting or criminals that we're not apprehending.

I think we should almost change our motto on the police cars. Where it says, "To protect and to serve", maybe we should say, "To store and serve". That's what we're doing; we're storing our evidence.

Even at best times, colleagues, recall that we lost a door in a incident that involved a rape. And that was under the best circumstances that we lost a door. And now we're storing all of this evidence.

Mr. Ferlo asked the Solicitor to let us know who's responsibility it was for crime labs. That report came back and it said that it's not mandated by the State, it's not mandated by the County. Traditionally, and I'm not going to argue the fact that the County did do the work traditionally. What I'm saying is, I'm not talking about whose responsibility it is right now. I'm saying that there are some long-term solutions in Harrisburg in terms of legislation. But those solutions are not going to come in the month of April and I don't think they're going to come for two or three months.

We have a short term problem and we need a plan. I would like to make a motion, and by the way, colleagues, Greensburg has

communicated to the City of Pittsburgh "not to bring your evidence to Greensburg" because, number one, they can't handle it and, number two, they've already been told by criminal defense attorneys that all of them will be subpoenaed in order to slow the system down.

We have nearly 800 cases now that need to be pursued. 800 cases where we have to look and see if we can apprehend the criminal. My motion is, very simply, is for Mayor Masloff to relate to this City Council what is her plan, what is her direction, what are we going to do with this evidence in hand.

Mr. Ferlo seconded the motion.

WHICH MOTION PREVAILED.

Mr. Cohen moved to approve the Minutes of Tuesday, March 3, 1992.

Mr. Ferlo seconded the motion.

Which motion prevailed.

And on the motion of Mr. Cohen

Council adjourned.

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Municipal Record

ONE-HUNDRED TWENTY-SEVENTH COUNCIL

JACK WAGNER President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER.... Asst. City Clerk

Pittsburgh, PA
Tuesday, March 31, 1992

PRESENT:

MR. COHEN	MR. O'CONNOR
MR. DARKINS	MR. ONORATO
MR. FERLO	MR. RICCIARDI
MICHELLE MADOFF	MR. WAGNER
MR. MILLIONES	(Pres't)

The Meeting was opened by the recitation of the Pledge of Allegiance to the Flag of the United States of America; and a moment of silent prayer for peace throughout the world.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Members of Council present

No. 543 WHEREAS, The Carnegie Library of Pittsburgh serves as a major resource for the City, the County, the Commonwealth and for other bibliographic institutions around the world; and

WHEREAS, The Carnegie Library has long made an invaluable contribution to the region through promoting literacy, democracy, culture and education to citizens of all ages; and

WHEREAS, the goal of The Carnegie Library is to make its books, treasures and programs accessible to all who wish to share them; and

WHEREAS, City Council was faced with a funding cut in the 1992 budget but made a concerted effort to fund The Carnegie Library budget at 1991 levels so that their quality programs could continue to benefit City residents; and

WHEREAS, The Carnegie Library and other libraries across the Commonwealth are faced with a serious threat from cuts in funding from Governor Casey totaling \$5.5 million from January 1991 to January 1992, resulting in fewer books, reduced staff, shorter library hours, and elimination of services and programs; and

WHEREAS, rallies and picketing to

protest these funding cuts will take place on March 31, 1992 from noon until 1:00 p.m. in Pittsburgh, Harrisburg, Philadelphia and smaller communities around the state.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh commends The Carnegie Library of Pittsburgh for its tremendous work throughout the years; and

BE IT FURTHER RESOLVED, that Pittsburgh City Council declares its support for The Carnegie Library and for other public libraries around the Commonwealth and calls upon Governor Casey to restore appropriated funds for these invaluable institutions.

Mr. Cohen moved to adopt the resolution.

Mr. Ricciardi seconded the motion.

Which motion prevailed.

Mr. Cohen:

Thank you, Members of Council. I think this new resolution is so important that every Member of Council sponsored it, and I am very happy to have Jim Welbourne here today who is the Assistant Director of Branch Services for Carnegie Library.

I don't have to impress upon you the importance of the library, the library system, for us, for our children, for their education and there is a move afoot with the Casey Administration to cut funding for Carnegie Library. So, Mr. Welbourne and others at the local Carnegie Library and around the Commonwealth, have set up a series of rallies all around the State to show support for the Library. Mr. Welbourne will explain it to you but there is one in Oakland at the main branch and there's also going to be one Downtown at noon today, so if anybody can

make it, that would be terrific.

I'm happy to have Jim Welbourne here to say a few words.

Mr. Welbourne:

I want to thank Councilman Cohen, Councilman Wagner, and all the Council for endorsing this proclamation. It comes at a time in which libraries are really trying to not be quiet and silent about what is happening to us and how this is affecting our communities and those of you who are trying to survive and have jobs and educate your children.

So, we are having rallies around the Commonwealth at noon, and here in Pittsburgh we've got a good turnout. There will be protest songs and sing-a-longs out in front of the Library. There will be numerous speakers from community-based organizations, representation from the Council here, greetings from the Mayor's Office, as well as the School Board, to testify to the broad-based importance that the Library is playing in the cultural life, particularly here in Pittsburgh.

I just need to say that, and I can't emphasize enough, the tremendous local support that we have had and the reasons why we have no branch closings when other systems around the country are closing down in Brooklyn and Chicago has been because our local support at the City and County levels have helped us. We particularly feel the loss of the State funding is putting us back in jeopardy again and we really want to target the pressure at that level to Governor Casey to indicate that this is truly a resource that we all cannot afford to lose, and we hope we have your support.

If any of you are out in Oakland today from 12:00 to 1:00, or Downtown at Gateway at the State Office Building, and can lend your

support by signing a petition, picking up some literature, we would really appreciate it.

Once again, this is quite an honor and I appreciate it very much. Thank you very much.

Mr. Darkins:

Mr. President, I would ask that Mrs. Helen H. Smith come forward, please.

We have had through the month of March a series of people that Council and I felt necessary to honor as this is National Women's Month all over the United States.

Mr. Darkins presents

No. 544 WHEREAS, Maryland native Helen H. Smith is respected throughout the City of Pittsburgh as a woman dedicated to her vocation; and

WHEREAS, Helen H. Smith has given more than twenty years to the Pittsburgh Board of Education, teaching child development and preparing teen parents to successfully rear their children; and

WHEREAS, Helen H. Smith is recognized as a worker committed to community pride and the promotion of wellness as a means of life; and

WHEREAS, Helen H. Smith is known as a woman who skillfully encourages harmonious relationships among her peers; and

WHEREAS, Helen H. Smith is a woman who unselfishly volunteers her time to many civic and professional organizations, serving on the Urban League, the NAACP, and the Homewood-Brushton Branch Y.M.C.A. Membership Drive Committees, and Helen is Chairperson for H.B.R.D.C. Education

Committee, was a driving force on the Citizens Advisory Committee charged with the task to intergrade the Pittsburgh Public School System, is a member of United Way of Western Pennsylvania, and participates on several other grass-roots and social awareness groups; and

WHEREAS, Helen H. Smith earned her Bachelor of Science Degree in Home Economics, Consumer Education and Early Childhood Development from Virginia State University and continued her studies at the University of New York and is presently a child development teacher at George Westinghouse High School; and

WHEREAS, Helen H. Smith is married to Robert W. Smith, Jr., and they are the proud parents of Robert III, Joyce S. Gardner and Derrick W.; and

WHEREAS, the Smith Family is appreciated nationally for their involvement with the University of Pittsburgh's International Visitors Program.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh commends Helen H. Smith for her devotion to the progression of youth and support to groups striving to make a difference.

Mr. Darkins moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mrs. Smith:

I thank you so much for honoring me and giving me this plaque. However, when you set out to do these things, you don't think about honoring yourself. You think about making a difference in your home and in your community,

and of course, America which we all love.

Mr. Darkins:

We're going to ask now that Mrs. Burley come forward.

Mr. President and my colleagues on Council, again I feel honored to be able to honor such a woman that has made such a contribution to America.

Mr. Darkins presents

No. 545 WHEREAS, Lynda Burley is a life-long resident of Homewood-Brushton; and

WHEREAS, Lynda Burley is known throughout the City of Pittsburgh as a woman who unselfishly shares her talents and skills with others; and

WHEREAS, for over twenty years Lynda Burley served as a devoted community worker for Bethesda Church Community Center's Life Skills Education Program teaching parents and children to expand their minds; and

WHEREAS, Lynda Burley is a retired ordained Deacon, Moderator of Presbyterian Women for Bethesda Church and a four-term Homewood House Tenant Council President; and

WHEREAS, Lynda Burley graduated from George Westinghouse High School, is the proud mother of four sons, Andrew, Thomas, Jack and Robert, the grandmother of eight and great-grandmother of one.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh recognizes Mrs. Lynda Beamah Jackson-Burley as a woman who taught others how to improve their status in life.

Mr. Darkins moved to adopt the resolution.

Mr. Ricciardi seconded the motion.

Which motion prevailed.

Mrs. Burley:

Thank you so much. I want to thank God first for letting me live so long. Then I want to thank the Mayor and Councilman Darkins for giving me this honor today.

I want to thank my family for all the trials and tribulations, failures and successes. The community for letting me come into their homes. If it hadn't been for them letting me come into their homes and sharing their lives with me, I would not get this honor.

My Church family that's here, for giving me the spiritual guidance that I needed all these many, many years.

And for my peers and my friends, thank you so much for your love, your friendship and accepting me particularly at Homewood House at this time in my life.

I'm sure all of you have given me much more than I have ever given any of you. Thank you so much.

Mr. Darkins:

To the President and my colleagues on Council, I would just like you to see how much the people at Homewood House appreciate this woman's services. They came down on a bus this morning. Won't you stand, the people from Homewood House? Even with the Port Authority strike, they got a bus and came.

The Chair:

Thank you all.

Mr. Darkins:

Mr. President and my colleagues on Council, we're going to present today to this illustrious lady, great lady -- I have to echo that with Michelle Madoff here. We have so much excitement in Council and I found it to be very rewarding and I took it upon myself for anything that comes about women. I gave Michelle and unwritten title here in Council as being the First Lady because she's the only lady on City Council.

Mr. Darkins presents

No. 546 WHEREAS, Dr. Elizabeth North Youngue is a woman with many skills and talents; and

WHEREAS, for over thirty years Dr. Youngue shared her music talents and commitment to education with The Pittsburgh Public School System and institutions of higher learning; and

WHEREAS, because of Dr. Youngue's caring and positive attitudes, many were influenced and encouraged to acknowledge and reach their potential; and

WHEREAS, Dr. Youngue's credentials speak for her commitment to education; she holds the following certificates: Superintendent Eligibility; Principal for elementary and secondary schools; Supervisor for elementary and secondary schools in Music and French, teaching, elementary, secondary and institutions of higher learning; and

WHEREAS, Dr. Youngue's skills have been utilized on the State level; she represented

the Pittsburgh Public Schools by serving on the Task Force Committee for Adult Basic Education and she has conducted workshops and seminars on subjects such as the disadvantaged child, teacher classroom behavior and teacher training; and

WHEREAS, Dr. Youngue is the first African American woman to hold a Contralto Soloist position at Calvary Episcopal Church in Shadyside, and has held many soloist positions in the City of Pittsburgh, and has also performed abroad and throughout the United States; and

WHEREAS, the National Body of Links, Inc. honored Dr. Youngue with their Outstanding Performance in Arts Award, and the EPIC Consulting Firm esteemed her with their Outstanding Educational Leadership Award; and

WHEREAS, Dr. Youngue serves on the Parent Advisory Committee of the Pittsburgh Ballet Theatre and many other civic and professional organizations; and

WHEREAS, Dr. Youngue holds a Ph.D Degree from the University of Pittsburgh in Educational Administration.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh recognizes Dr. Elizabeth North Youngue as a woman who blazed trails, giving hope and insight to many.

Mr. Darkins moved to adopt the resolution.

Mr. Ricciardi seconded the motion.

Which motion prevailed.

Dr. Youngue:

Thank you so much, Councilman Darkins. It is with sincere thanks and deep

appreciation that I accept this honor. I shall continue to strive to do the best that I know how for family, friends, community. Thank you so much again.

Mr. Ferlo:

I'd like our honoree, Kerry Stoner, and staff of the Pittsburgh AIDS Task Force and some of the other community leaders to come forward.

In addition to our honoree, Kerry Stoner, we have the staff from the Pittsburgh AIDS Task Force, and Dr. Rinaldo from the University of Pittsburgh Pitt Men's Study Group, Phil Hallen from the Maurice Falk Medical Fund, Dr. Bruce Dixon, as well as Dana Phillips from the Jewish Health Care Foundation. I'd like to ask them to come up following the presentation to say a few words. I'd also like to, obviously, have Kerry say a few words.

Mr. Ferlo presents

No. 547 WHEREAS, through his involvement with the AIDS epidemic over the last decade, Kerry Stoner has been an inspiration to our community by demonstrating that one person can make a difference in the lives of thousands; and

WHEREAS, Kerry Stoner was instrumental in the founding, nurturing and organizing of the Pittsburgh AIDS Task Force in 1985 and was elected President of the Board in 1986; and

WHEREAS, in 1988 Kerry Stoner was hired as Executive Director of the Pittsburgh AIDS Task Force and has managed its growth from a small organization of 30 volunteers with a \$5,000 budget to a respected agency with over 500 volunteers and a million dollar budget; and

WHEREAS, Kerry Stoner has overseen

the delivery of critically needed services for people with AIDS including a buddy project, case management, an emergency fund, an advocacy system, and a transportation system; and

WHEREAS, Kerry Stoner directed the creation of AIDS educational programs and developed outreach and preventive programs for sexual and racial minority groups, as well as drug and alcohol users; and

WHEREAS, Kerry Stoner has assisted in the development of many state and regional coalitions for the benefit of meeting the needs of people with AIDS beyond the City limits.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby recognizes and commends Kerry Stoner for his service to the people of Pittsburgh by his tireless promotion of prevention, compassion and education in meeting the challenges of AIDS; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh declares Tuesday, March 31, 1992 as "Kerry Stoner Day" in the City of Pittsburgh.

Mr. Ferlo moved to adopt the resolution.

Michelle Madoff seconded the motion.

Which motion prevailed.

Mr. Ferlo:

Before I call on Kerry, I'd like to ask that a few other people come forward. I did mention that all the staff is here from the Pittsburgh AIDS Task Force and some board members. We have Phil Hallen here from the Maurice Falk Medical Fund, Dr. Rinaldo, Dr. Bruce Dixon and Dana Phillips. If any of you would like to come

forward to say a few words before we introduce Kerry, please do so.

Dr. Rinaldo:

I met Kerry several years ago when we were forming our study on AIDS at Pitt. To our benefit, Kerry played a central role in our recruitment of over 3,000 volunteers to this time.

Most important to me personally is that Kerry helped teach all of us the human side of this epidemic that we must always focus our efforts on.

He continues to exemplify the spirit, dedication and utmost humanity that is really the strength of the fabric of Pittsburgh.

Kerry, thank you from all of us at Pitt and the community of Pittsburgh who are blessed with your presence.

Dr. Dixon:

On behalf of the County, the County Health Department and me personally, I really want to acknowledge the tremendous contributions you have made towards the whole effort towards keeping the incidents of HIV and AIDS as low as it is in this County.

We can talk about this disease medically, but the whole social side of this illness and our approach to it has been the result of the efforts of one person, and that's Kerry Stoner. He has really been the leader in pulling together a whole group of divergent personalities of people with different ideas and has been the arbitrator many times between disagreements that we've had. I think it's really this combination of people that you have been able to work with and to amalgamate into one unified whole that has been responsible for the benefits that we've all seen.

Although you're officially retiring, we know that that's not going to be the end of your tenure. We expect you to do even more as a volunteer, Kerry, and we look forward to that.

Ms. Phillips:

I have had the privilege of working with Kerry for four and a half years now. We haven't always agreed but it has been a wonderful, wonderful experience for me because, as Bruce said, Kerry is a mediator and he's always willing to work things out. His leadership has been exemplary, not only here in Pittsburgh but also across the state.

Kerry, I also bring you greetings from your fellow members of the State HIV Planning Council and they also expect to see you even more active there than you have been during its first year. Best wishes.

Mr. Ferio:

I do want to get Phil Hallen up here. He's a behind the scenes kind of guy but we'd like to get him up here.

Mr. Hallen:

Kerry Stoner is a farm boy and I am a farm boy and we don't have much to say.

No one has brought together the constituencies and the diverse groups of people that have been affected by this, and will be affected by this disease, in a better fashion than Kerry. He has an ability to bring people together with a kind of calmness which has characterized his administration, has characterized his life, and I hope it doesn't characterize your retirement because we need all the energy we can have.

Mr. Ferlo:

I just want to say that I've known Kerry probably since the late 70's and it's quite obvious from reading the Out Magazine article as well as the article that appeared yesterday in the Post Gazette that Kerry has made a tremendous contribution to our community and I think that's why many of us wanted to take the time this morning to pay tribute to him.

Kerry, besides being a good-looking guy is articulate, he's sensitive, he's compassionate. And I think whether any of us wants to recognize it or not, we do have a crisis in our society. It's unfortunate that both at the Federal level and at the State level we still have not committed the human and financial resources that are needed. That's why we need trailblazers and that's why Kerry is so important to us locally and we're all honored to be a part of the proceedings here this morning.

At this time I'd like to warmly introduce Kerry Stoner.

Mr. Stoner:

Thank you. It's been a long time. My relationships with some Councilmembers go back to the early 80's whenever I had to testify as a staff person, an expert witness, for a private vocational rehab firm. Before then, Referee Darkins on the State Workmen's Compensation Board. So, I got some early practice and lessons in speaking on your feet and under fire, as well as our relationships with people like Michelle Madoff who is not only a supporter but a personal funder of our effort and some of our earliest benefits.

I first came before City Council in 1987 with then Councilman Mark Pollock who came here and brought me as the President of the Board of an agency with no staff and no offices and

brought me here to Council to ask for funds. We came in the door asking for \$20,000 and we walked out with \$40,000. So, I acknowledge the commitment of this City Council on this public health crisis and in support particularly of the Pittsburgh AIDS Task Force from very early on.

As we started to talk about and witness the changes and the diversity in this epidemic and began to talk about AIDS in the Black community and the effect on racial and ethnic minority communities, Jake Milliones was one of the first people in the City as a leader to involve himself in this cause and in this issue.

So, there is great support across the board and I apologize for leaving out any particular mention of other Councilmembers, Dan and Jim, for your individual support over the years.

I have said in the past that the last seven years of my life and my involvement with the Pittsburgh AIDS Task Force, that this experience has been in some ways my worst nightmare and in other ways the greatest opportunity I could ever have been presented for making a difference.

The nightmares of this work and the people that you see behind me here are the nightmares that are experienced in the depths and the losses of this epidemic of the hundreds and indeed approaching thousands of residents of the City of Pittsburgh and the surrounding communities affected by HIV disease and AIDS, the family members who have experienced these losses.

But, perhaps in some ways the even greater nightmare than the individual grieving that we do as we lose more people to this disease is the nightmare of actually seeing some people who consciously and actively devalue other human beings because of their differences.

There are things in our world which we all know as a community aren't right and the AIDS epidemic has forced many of them again and again to the surface. The biggest challenges in addition to the science and the medicine that we face, and prevention, are the challenges of overcoming the obstacles that face us of racism, homophobia, sexism, are acceptance of poverty for some, our current culture which chooses to see addicts as a demon rather than as a human being worthy of our assistance and compassion.

The opportunity of this epidemic and working as the Director of the Pittsburgh AIDS Task Force is an opportunity of having been given the privilege of serving as the Director of this agency. It has been a tremendous gift of trust. I have had the chance really in the last seven years to truly see heroes, to get to know them, to watch people perform miracles, and to watch people do absolutely extraordinary things that indeed define what it is to be a human being. That is something and these are memories that I can live with very well. And they are the things that balance the nightmares and the losses.

In closing, I want to say that I truly appreciate and I am deeply grateful for this recognition. But if I were simply one person sitting in an office with a phone, the work of the Pittsburgh AIDS Task Force or that for which I am being recognized today would never have been possible. It is these people standing here and the hundreds of other volunteers and thousands of individual donors and contributors and individuals like you, Members of City Council and the rest of the citizens of this community, who make this possible.

So, I acknowledge you all for your commitment on this issue. I ask you to please hang on to that commitment and assist us further. We, likewise, are experiencing the tremendous crunch in the cuts and loss of State funding and the inadequacy of support of the State and

Federal level and you, Members of City Council and local government, are again being asked to pick up more and more of the share of this burden.

I acknowledge you also and appreciate your support of other organizations involved in this fight, your support of the Shepard Wellness Community, your support of PERSAD Center for their AIDS related work.

I thank you for your courage in addressing this health issue and I thank you for your partnership and I thank you very much for this very generous honor.

Michelle Madoff:

I would just like to say that all the honors and all the words are wonderful. But who's going to pledge some money to make this a reality?

Jim, would you tell them where to send their checks? You're on television and the people care. If you're not homophobic, if you care about people, make your pledge right now. Tell us where we can send the money and what the phone number is to make the pledge. And I personally am pledging a very sizable contribution this year.

Mr. Stoner:

Thank you very much for your generosity. The Pittsburgh AIDS Task Force is located at 905 West Street, Pittsburgh, PA 15221. Additionally, if people have other particular interests or concerns or causes in the area of AIDS and wish to know where else support is needed, we will be happy to provide them with the names and addresses of those organizations that are also working in this battle. The phone number is 242-2500.

Michelle Madoff:

We're doers, right?

Mr. Stoner:

We are. Thank you.

The Chair:

Thank you all.

Michelle Madoff:

Would Mr. James "Sharkey" Lewis please come forward, and I believe he has his daughter, Yvonne with him, and anybody else from Mount Washington, they're welcome to come forward.

Ladies and gentlemen, Members of City Council, this is a very special resolution for me and I think it's wonderful to recognize the people who are out there who are not in the forefront all the time but really making the City viable and working and caring for the community. This resolution addresses that.

Michelle Madoff presents

No. 548 WHEREAS, James "Sharkey" Lewis has faithfully served the Parks Department for 40 years; and

WHEREAS, he has conscientiously maintained and cleaned the park, ballfields, and shelter house ■ Mt. Washington Park for 40 years; and

WHEREAS, his cheerful disposition and helpful manner toward the community has made him a valued neighborhood institution; and

WHEREAS, his dedication ■ public service has made him ■ valuable role model for

the many young people, especially the African American youth, which he has helped or encountered.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh commends James "Sharkey" Lewis for his years of dedication to the residents of the City of Pittsburgh, particularly the youth of the Mt. Washington area and congratulates him on his upcoming retirement.

Michelle Madoff moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Michelle Madoff:

We have with us, Bob Huntly, the Park Supervisor, and John Tech from Parks, and perhaps they'd like to say something. And we have his daughter who was very gracious to come today.

Mr. Huntley:

Sharkey, on behalf of the Parks Department, we want to thank you for all your long years of dedication. We wish you good luck on your retirement; we're going to miss you. It's going to be strange to know that you're not up on Mount Washington anymore. Good luck.

Mr. Lewis:

I want to thank Michelle and the rest of City Council. Never in my wildest dream did I thought that I'd ever be honored by the City Council. In fact, when I came up here, I didn't even know where it was. But I want to say, though, to everybody that I appreciate and it's really something that's coming from my heart. Thank you all very much.

The Chair:

We have one final resolution. I'd like to ask Wesley Kirilan from the Salvation Army, Social Services Director, to please step forward to receive it.

The Chair presents

No. 549 WHEREAS, The Salvation Army has joined forces with The Greater Pittsburgh Community Food Bank and Giant Eagle to raise awareness of the hunger problem in Allegheny County; and

WHEREAS, April 6 through April 10, 1992 will be "United Hunger Awareness Week" in the Pittsburgh area with a series of events planned to help bring attention to the hunger problem and educating the community about what they can do to help combat the hunger problem; and

WHEREAS, individuals attending the Pittsburgh Pirate games April 6, 8 and 9, are asked to bring canned goods to Three Rivers Stadium. And on Friday, April 10, Giant Eagle stores in five locations, Edgewood Town Mall, William Penn Highway, Steubenville Pike, Village Square and McKnight Road, will also be accepting canned goods; and

WHEREAS, the Greater Pittsburgh Community Food Bank and The Salvation Army will distribute all donated food products as a joint effort.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize the week of April 8 through April 10, 1992 as "United Hunger Awareness Week" and asks the generous citizens of the City of Pittsburgh to participate in this worthwhile project.

BE IT FURTHER RESOLVED, that the Council thanks and commends all individuals and organizations involved with this project including The Salvation Army, Greater Pittsburgh Community Food Bank and Giant Eagle.

Mr. Milliones moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

The Chair:

Members of Council, I appreciate your support. I know Councilman Ferlo a couple of weeks ago had a similar resolution declaring ending hunger and there were several speakers here that day talking about this issue.

We're extremely honored to have Mr. Wesley Kirilan here from the Social Services of The Salvation Army, an organization that we support very strongly in this effort and other efforts.

Mr. Kirilan, would you please enlighten the public a little more about this Hunger Awareness Week and how they can contribute food to the effort?

Mr. Kirilan:

Good morning. We thank you for the opportunity and appreciate the remarks made by Mr. Wagner for The Salvation Army and certainly for the other groups in this City who have been in the forefront providing assistance to those with hunger needs.

This particular week is to be a little push, a little effort, because sometimes hunger efforts tend to wane away and the problem stays and

sometimes people feel that they're efforts have been enough. Well, they really haven't. There are many, many families who are experiencing continued needs this particular year and the Food Bank, of course, one of the best in the nation, and the other organizations including The Salvation Army, the other pantries in the City and in the County have been hard pressed to continue to provide service.

We hope that members of the public can either participate through canned goods, distribution at the Pittsburgh Pirates ballgames during opening week, through a local pantry, through a local church, through the Food Bank directly, and, of course, through The Salvation Army's work in the City of Pittsburgh and in the County.

We thank you very much.

The Chair:

Thank you.

Mr. Cohen presented

No. 520 An Ordinance directing the Allegheny County Board of Elections to place before the qualified voters of the City of Pittsburgh a referendum question which would amend Section 223 of the Home Rule Charter - Appointment and Term of Magistrates.
---(SPONSORED BY MR. COHEN)

Which was read and referred to the Committee on Finance.

Mr. Cohen moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Onorato seconded the motion.

Which motion prevailed.

Mr. Darkins presented

No. 521 Resolution authorizing the Director of the Department of Public Works to grant an encroachment permit to the University of Pittsburgh for a steam line encroachment under the right of way of Fifth Avenue in the 4th Ward, 8th Council District of the City of Pittsburgh. This request is made by the University of Pittsburgh to update their steam distribution system. A fee of \$125.00 for the processing and advertising of the application.

Also,

No. 522 Resolution authorizing the Director of the Department of Public Works to grant an encroachment permit to West Penn Hospital for the installation of a tunnel under South Millvale Avenue in the 8th Ward, 8th Voting District of the City of Pittsburgh. This tunnel is going to be used by Central Plant employees to be able to travel underground from the Service Building to the "C" Wing in the hospital. A fee of \$6,000.00 is being charged for an encroachment permit pursuant to Section 416.02 and \$125.00 for the processing and advertising of the application.

Also,

No. 523 Resolution authorizing the Director of the Department of Public Works to grant an encroachment permit to Anthony Ambrogio for a one story and basement addition encroachment on a portion of the right of way of Saline Street in the 15th Ward, 5th Council District of the City of Pittsburgh. This request is made by Anthony Ambrogio due to the fact one of the family members is handicapped and will enable easier access. A fee of \$125.00 is being charged for the processing and advertising of the

application.

Which were severally read and referred to the Committee on Public Works.

Mr. Ferlo presented

No. 524 An Ordinance supplementing the Pittsburgh Code of Ordinances, Title Nine, Zoning, Article I, Administration, Chapter 905, Permits, Certificates and Enforcement by adding Section 905.029(c)(6) and amending Section 905.02(d) to provide additional application and issuance requirements for the erection, enlargement or reconstruction of advertising signs or structures.

---(SPONSORED BY MR. FERLO)

Which was read and referred to the Committee on Planning, Housing and Development.

Mr. Ferlo moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Riccardi seconded the motion.

Which motion prevailed.

Also,

No. 525 Resolution amending and supplementing Resolution No. 13 approved January 28, 1992 entitled: "Establishing and Retirees Additional Benefits Trust Fund (RABTF) and certain funding and disbursement guidelines for such trust fund and authorizing and directing the appropriate City Officials to carry out such guidelines," by making certain additions.

---(SPONSORED BY MR. FERLO)

Which was read and referred to the Committee on

Finance.

Mr. Milliones presented

No. 526 An Ordinance supplementing the Pittsburgh Code, Title One - Administrative, Article XI - Personnel, by expanding Subsection 197.04 to generally prohibit the appearance of a public official before certain City Boards, Authorities, Commissions or Courts.

---(SPONSORED BY MR. MILLIONES)

Also,

No. 527 Resolution further amending and supplementing Resolution No. 1294 approved December 20, 1991, as amended by Resolution No. 67 approved February 4, 1992, and by Resolution No. 256 approved March 10, 1992 effective January 1, 1992 entitled: "Making appropriations to pay the expenses of conducting the Public Business of the City of Pittsburgh and for meeting the debt charges thereof for the fiscal year, beginning January 1, 1992," by making certain additions and corrections.

---(SPONSORED BY MR. MILLIONES)

Also,

No. 528 Resolution amending and supplementing Resolution No. 1295 of 1991, approved December 20, 1991 as amended by Resolution No. 66 approved February 4, 1992 and Resolution No. 257 approved March 10, 1992 effective January 1, 1992 entitled: "Resolution fixing the number of officers and employees of the City of Pittsburgh, and the rate of compensation thereof, and setting minimum levels for designated positions," by making certain additions and corrections.

---(SPONSORED BY MR. MILLIONES)

Which were severally read and referred to the Committee on Finance.

Mr. Milliones moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Onorato seconded the motion.

Which motion prevailed.

Also,

No. 529 Resolution Repealing Resolution No. 877, Item A, effective August 24, 1990, which authorized the sale of a two and one half story, brick house situated on a lot 24' x avg. 88', located at 246 Lombard Street, 3rd Ward, designated as Block 11 E, Lot 157, to William E. Watson, for the sum of \$5,000.00, as the building has been extensively vandalized since the sale was initiated. (Council District #6)

Also,

No. 530 Resolution amending Resolution No. 981, Item K, effective October 25, 1991, which authorized the sale of a vacant lot 15' x 110', located at 440 Camfield Street, 30th Ward, Block 33 E, Lot 206, to David W. & Jacqueline R. Wierchowski, for the sum of \$300.00. The reason for the amending resolution is to correct the spelling of the purchaser's name which currently reads Wierchowski to read Wierzchowski and to correct the address of the property which currently reads: "440 Camfield Street" to read "Suncrest Street". (Council District #3)

Also,

No. 531 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties, acquired at tax sales in accordance with Act No. 171 of 1984, Second Class City Treasurer Sale and Collection

Act," effective December 11, 1984.

Also,

No. 532 Resolution providing for the conveyance by the City of Pittsburgh of certain property, under Act No. 171 of 1984, entitled, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

Also,

No. 533 Resolution providing for the conveyance of certain property in the 11th Ward, City of Pittsburgh, to Anthony and Mary Adipietro, for the sum of \$1,500.00.

Also,

No. 534 Resolution providing for the conveyance by the City of Pittsburgh of certain property, under Act No. 171 of 1984, entitled, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

Which were severally read and referred to the Committee on Finance.

Mr. O'Connor presented

No. 535 An Ordinance supplementing the Pittsburgh Code, Title Five, Traffic, Article I - Administration, Chapter 503, Enforcement and Control, by adding Section 503.13, Warning Signs in Restricted Metered Parking Areas, for the purpose of mandating the attachment of signs to individual parking meters, indicating restricted parking hours and warning violators that they will be towed.

---(SPONSORED BY MR. O'CONNOR)

Which was read and referred to the Committee on Public Safety.

Mr. Ricciardi presented

No. 536 Resolution providing for the issuance of a warrant in favor of Public Strategies, Inc., One Bigelow Square, Suite 616, Pittsburgh, PA 15219, in the amount of \$1,600.00 in payment for professional consulting services rendered to Councilman Eugene Ricciardi for the month of April 1992, chargeable to and payable from Code Account 1001-2, Salaries, Wages and Services of Council, As Needed, (Index Code 100123), City Council, Council District #3).

---(SPONSORED BY MR. RICCIARDI)

Which was read and referred to the Committee on Finance.

The Chair presented

No. 537 Resolution transferring the amount of \$10,000.00 from Code Account 1001-1, Miscellaneous Services, Supplies, Equipment, etc., City Council (Index Code 100115) to Code Account Lead Prevention Policy Commission Trust Fund (Index Code 252569).

---(SPONSORED BY MR. WAGNER)

Which was read and referred to the Committee on Finance.

Also,

No. 538 Petition from the residents of the City of Pittsburgh, requesting a public hearing regarding the state liquor store located at 1718 Fifth Avenue in the Uptown section of the City.

Also,

No. 539 Communication from Ben Hayllar, Director, Department of Finance, submitting the Impact of Military Spending on Employment and Social Service Report of 1990, as required by Section 204 of the Home Rule

Charter.

Which were read, received and filed.

REPORTS OF COMMITTEES

Mr. Milliones presented

Bill No. 540

Report of the Committee on Finance for March 25, 1992 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 451

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Public Strategies, Inc., One Bigelow Square, Suite 616, Pittsburgh, PA 15219, in the amount of \$1,000.00 in payment for professional consulting services rendered to Councilwoman Michelle Madoff for the month of March 1992."

---(SPONSORED BY MICHELLE MADOFF)

Which was read.

Michelle Madoff:

Mr. President and Members of Council, Bill No. 451 is monies transferred from my own personal stipend allocated to staff, to running our office, to pay for my consultant.

It has come to my attention that the checks are not being paid out of the Controller's Office. The checks went down -- How long ago did they go down? He hasn't received any for months.

Mr. Perry:

A good month.

Michelle Madoff:

Over a month ago. I think this is unconscionable. It has come to my attention that I have not personally seen the individual lawsuits but the Controller has been sued a number of times, about 20 times if not more than 20 times, for not paying the bills approved by this Council or the bills that are due for payment. I do not believe that is the proper way to behave and if I don't have this bill paid within five working days I will take appropriate action.

Also,

Bill No. 454

A Resolution entitled, "Resolution providing for the issuance of a \$872.50 warrant in favor of Michael J. Kearney for property damage."

Which was read.

The Chair:

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner

Mr. Milliones

(Pres't)

AYES 9

NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 455

A Resolution entitled, "Resolution Repealing Resolution No. 907, Item B, effective October 9, 1991, which authorized the sale of a two story, brick dwelling situated on a lot 19.78' x avg. 67.39' x 21.66' ft., located at 334 N. Atlantic Avenue, 10th Ward, designated as Block 50 G, Lot 38B, to William E. Taylor, for the sum of \$1,500.00, as the building must be razed because of deteriorating and dangerous conditions."

Which was read.

Also,

Bill No. 456

A Resolution entitled, "Resolution amending Resolution No. 1288, Item E, effective December 31, 1991 which authorized the sale of a vacant lot 30' x 135.4', known as 314 Sheridan Avenue, 11th Ward, Block 83R, Lot 173 to Austin J. Richards Company, for the sum of \$1,000.00."

Which was read.

Also,

Bill No. 457

A Resolution entitled, "Resolution amending Resolution No. 88, Item A, effective February 21, 1992 which authorized the sale of a one story, brick veneer, bungalow, located at 1528

Rutherford Avenue, 19th Ward, Block 35D, Lot 129 to Adriana M. Guidotti, for the sum of \$11,505.00."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 9 **NOES none**

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 459

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Mt. Lebanon Office Equipment Company (1817 Banksville Road, Pittsburgh, PA 15216) in the amount of \$2,697.00 for the purchase of office furniture for City Council without previous authority of law, chargeable to and payable from Code Account 1001-1, Miscellaneous Services, Supplies and Equipment, etc. (Index Code 100115)." --(SPONSORED BY MR. WAGNER)

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 9 **NOES none**

And there being two-thirds of the votes of Council being in the affirmative, the bill passed finally.

Mr. Darkins presented

Bill No. 541

Report of the Committee on Public Works for March 25, 1992 transmitting one ordinance and sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 443

A Resolution entitled, "Resolution granting unto John T. Quinlan, 1320 Virginia Avenue, Pittsburgh, PA 15211, owner of a building at 3701 Thirty-Seventh Street, his successors and assigns, the privilege and license to construct,

maintain and use ■ his own cost and expense, a fire escape and balcony in and over ■ portion of the sidewalk of Thirty-Seventh Street in the 6th Ward, 7th Voting District, of the City of Pittsburgh."

Which was read.

Mr. Darkins:

I move that the Effective Date of Bill No. 443 be the date on which it is signed by the Mayor.

Michelle Madoff seconded the motion.

WHICH MOTION PREVAILED.

Also,

Bill No. 444

A Resolution entitled, "Resolution granting unto the Pannier Corporation, 207 Sandusky Street, Pittsburgh, PA 15212, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, two (2) sidewalks in portions of the right of way of Cajou and Vulvan Ways in the 23rd Ward, 1st Voting District, of the City of Pittsburgh."

Which was read.

Also,

Bill No. 445

A Resolution entitled, "Resolution providing for a Contract or Contracts, or the use of existing Contracts for public sidewalk construction at various locations within the City of Pittsburgh and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 446

A Resolution entitled, "Resolution providing for a Contract or Contracts, or the use of existing Contracts for the rental and repair of equipment in connection with the City of Pittsburgh's Capital Construction Division, and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 447

A Resolution entitled, "Resolution providing for a Contract or Contracts, or the use of existing Contracts for flexible beam guiderails at various locations within the City of Pittsburgh and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 279

An Ordinance entitled, "An Ordinance amending and supplementing the Pittsburgh Code, Title Six - Conduct, Article III - Dogs and Other Animals, Chapters 631, 633, 634, 635 and 636, by making improvements in the City's regulations on dogs, cats and other animals. (AS AMENDED IN COMMITTEE)

—(SPONSORED BY MR. WAGNER)

Which was read.

Mr. Ferlo:

Mr. President, in relation to Bill 279, the ordinance amending the animal control powers in the City Code, I wanted to make the following amendment, which you have before you.

I respect all the hard work that went into the ordinance and I support 90 percent of the intent of the ordinance and all the revisions, especially some of the things that were added into this ordinance that were never addressed before in City government, especially the issue of the safety and quality of life for the animal, as well as the issue of licensing the cat kennels and a lot of the other issues that were addressed in the bill, and I applaud all the effort that went into it.

I remain from the public hearing concerned about two elements and my amendments, which are in writing, basically would do two things; one, it would eliminate the formal licensure requirement for cats and rather substitute a voluntary cat identification requirement on the part of owners who do allow their cats to roam freely. So, the language here

explicitly is removing various references on various pages to the licensure of cats and substituting a new section, 633.03, on cat identification required by owner, and I'll read it very quickly. "No person shall keep, harbor or maintain a cat that roams freely unless the owner identifies the cat or cats with an identification collar to tag that shall clearly and legibly state the cat owner's name, address and telephone number."

The other questionable concern that I've raised about the bill is the amount of the increase in the licensure fee for dogs. It would be a 50 percent increase, going from \$8.00 to \$12.00 and the amendment here is to make it a \$2.00 increase, for a total of \$10.00 as opposed to the present \$8.00 and as opposed to the \$12.00 being suggested in the ordinance.

So, I'd like to make that in the form of a motion ■ amend.

The Chair:

Would you like the whole page together?

Mr. Ferlo:

I would suggest the whole page.

Michelle Madoff seconded the motion.

The Chair:

I'd like to comment briefly, since I sponsored the bill, on the amendments and the amendments only.

I really don't think a whole lot of forethought has gone into the amendment. Effectively, if you eliminate the cat portion or the cat licensing of the bill, you do a couple of things. Number one, you increase the number of cats that are put to sleep or euthanized annually in the City

of Pittsburgh dramatically, to the tune of a couple thousand.

In addition to that, you effectively, by reducing the dollar volume from ten to twelve, are removing the incentive to have animals spayed or neutered because, truly, one of the reasons for the difference in the dollar volume is that. If you lessen the non-spayed and non-neutered license, you are effectively saying it's fine to have a non-spayed or non-neutered animal in the City of Pittsburgh, therefore increasing the population, therefore increasing the likelihood that more animals in total, dogs and cats, will be put to sleep annually.

Furthermore, by eliminating the licensing on the cats, what you are effectively doing is suggesting that people that don't own animals and people that own dogs that license their animals are subsidizing people that own cats. And, quite frankly, one of the general reasons behind this whole ordinance is to create some equal ground in terms of those that own animals. There really is a nuisance factor related to cats in the City of Pittsburgh. There is a serious problem with putting them to sleep. There is a problems in terms of responsibility with the owners. And basically, all of that relates to the licensing of cats.

Therefore, I would hope that this amendment does not pass because it effectively guts the ordinance.

I'll state one last item. Councilman Ferlo, if you want to go with me and see the hundreds of cats that are put to sleep each year in the City of Pittsburgh, I suggest that you do that. Or, if, in fact, you want to do it yourself rather than the animal shelters, I suggest you do that. If this ordinance passes, I can tell you that there will be no change in the number of animals put to sleep annually in the City of Pittsburgh. If the ordinance doesn't pass, there will be a dramatic increase in the number of animals that are not put

to sleep. Consequently, I would hope that the amendment to the ordinance would not pass.

Mr. Ferlo:

Just in brief response. The issue of spaying and neutering is set up by the ordinance, that's a \$75,000 allocation. I don't know that we've ever actually reached the \$75,000. I think we need to do more work about the availability of the spay and neutering program, the vouchers in the City. The reduction is \$2.00 from the increase to \$12.00. It's not a reduction in the net amount that we're collecting this year which is the \$8.00 that would be increased, but it would be increased by \$2.00 as opposed to a 50 percent across the board to the \$12.00. So, that still would allow more than enough money to pay for the commitment that we have in the ordinance for the spay and neutering program.

The Chair:

In regard to the cost, I'll just respond quickly. The Administration at budget time was going to amend these fees and increase them higher than \$12.00 to the tune of approximately \$15.00, and there were some people even on the Animal Task Force that wanted them higher than that. Both myself and Councilman Coyne that were on the Task Force strongly recommended that those numbers were too high, but \$12.00 was reasonable.

Michelle Madoff:

I'd like to reiterate something I've been saying over and over again and I know that when I talk people listen but they don't hear me. So I hope somebody will hear me.

The \$75,000 allocation that we made to neutering has been going to people for the most part to people who can afford to pay their own neutering. We need to target that money for

people who cannot afford, if you want to talk about really curtailing, if that's your intent. That's number one.

Number two, catching a cat is like catching a sun beam. I don't think you can regulate cats.

The Chair:

Is there any further discussion on the amendment?

And on the question, "Shall the amendment pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Michelle Madoff
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi

AYES 6 NOES 3

VOTING NO:

Mr. Milliones	Mr. Wagner
Mr. O'Connor	(Pres't)

And a majority of the votes of Council being in the affirmative, the motion passed finally.

Mr. Cohen:

Mr. President, despite the amendment, I would like to congratulate you and the committee that you put together for this entire ordinance. This is an 18 page ordinance and it took a heck of a lot of work. I know probably hundreds of hours of work on your part and on the part of the committee that was put together for this,

including animal rights people and veterinarians and I think, as a whole, this ordinance is a fine ordinance and one that you should be commended for.

The Chair:

I would like to request from Council that the bill be tabled for now, and I would hope that you would go along with it since it is my ordinance.

Mr. Milliones:

So moved.

Michelle Madoff seconded the motion.

WHICH MOTION PREVAILED.

Mr. Ferlo presented

Bill No. 542

Report of the Committee on General Services for March 25, 1992 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 419

A Resolution entitled, "Resolution providing for a contract(s) or to exercise against existing contracts for the purchase of roof top air conditioning units for the Public Safety Building in an amount not to exceed Thirty-Two Thousand One Hundred (\$32,100.00) dollars and providing for the payment of the cost thereof."

Which was read.

Mr. Ferlo:

I'd like my comments brought forward
and the comments and commitment of the
Director.

(REMARKS ON FOLLOWING PAGES)

(MR. FERLO'S COMMENTS ON BILL NO. 419--Wednesday, 3/25/92)

Mr. Ferlo:

Director, can you come to the table?

Director, could you explain a little more about these air conditioners and where they will be located? My specific concern is we have spent hundreds of thousands of dollars in repair to Public Safety, and it is my understanding that there has been significant roof water leakage from the roof coming into the building, of which we have just spend hundreds of thousands of dollars on, including plastering, whatnot. Are these units going on the roof, are they wall or window units?

Mr. DiNardo:

Four of the Five units will go on the roof, that is why the roof hasn't been addressed yet. None of the roof leakage has caused any damage, because we have worked around the leakage.

Mr. Ferlo:

Let me ask you question. I don't want to embarrass you or insult your intelligence, but I will if you don't answer this right.

If you were going to fix your house and spend hundreds of thousands of dollars fixing the house and buying furniture and drapes, wouldn't you want make sure the roof is fixed first?

Mr. DiNardo:

The roof is part of an agreement with Allegheny County.

Mr. Ferlo:

I am not asking that.

Mr. DiNardo:

In a situation as you described, if I was fixing my own house --

Mr. Ferlo:

That is not --

The Chair:

Jim, you asked him.

Mr. DiNardo:

Let me answer the question. The entire floors were gutted. The roof leakage caused no damage. The floors are four inches thick of concrete. What dripped onto the seventh floor didn't drip onto the sixth floor. The leakage isn't that extensive that it is causing any problems whatsoever for the work that is going on in the building. You are welcome to come down there with me after this meeting if you would like and look at what is going on.

Mr. Ferlo:

I will gladly do that. My concern is we have invested hundreds of thousands of dollars in this building and we will be spending hundreds of thousands of dollars more. The rainy season is before us, not behind us, although we have had a lot of precipitation, and that water leaking in from the roofer will damage at some point the investment we have already made.

What I am asking you is before we continue to make the investments or go up on the roof now and disturb the roofing material even more with the installation of the air conditioners, when can we be assured that the county is going to do what they need to do regarding the roof?

Mr. DiNardo:

We have prepared bids for it and we know what the extent of the work is. We met with the county last week. The roof will be repaired and will not interfere or damage any of the work that has been done in the building.

Mr. Ferlo:

So if there is leakage in the next two months and the roof is not fixed and it damages us, we can take it out of your pay?

Mr. DiNardo:

Yes, that's right.

Mr. Ferlo:

Thank you.

(End of remarks)

(Transcribed by Helen L. Kriebel, Stenotype Reporter)

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

MOTIONS AND RESOLUTIONS

Michelle Madoff moved to approve the Minutes of Tuesday, March 10, 1992.

Mr. Cohen seconded the motion.

Which motion prevailed.

And on the motion of **Michelle Madoff**

Council adjourned.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXVI

Tuesday, April 7, 1992

No. 14

Municipal Record

ONE-HUNDRED TWENTY-SEVENTH COUNCIL

JACK WAGNER President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER.... Asst. City Clerk

Pittsburgh, PA
Tuesday, April 7, 1992

PRESENT:

MR. COHEN	MR. O'CONNOR
MR. DARKINS	MR. ONORATO
MR. FERLO	MR. RICCIARDI
MICHELLE MADOFF	MR. WAGNER
MR. MILLIONES	(Pres't)

The Meeting was opened by the recitation of the Pledge of Allegiance to the Flag of the United States of America, and a moment of silent prayer for peace throughout the world.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Darkins presents

No. 627 WHEREAS, in 1952 the Gerald A. Yoakam Reading Council was founded in the City of Pittsburgh; and

WHEREAS, five years later, the name was changed to the Three Rivers Reading Council of the International Reading Association to address the growing demand for residents in need of literacy competency; and

WHEREAS, for over thirty-eight years the Council has maintained its goal to provide developmental and remedial reading programs and enhance teachers with the skills needed to improve literacy for children and adults; and

WHEREAS, to date, the Pittsburgh Chapter has influenced over 65,000 children and adults in Allegheny County to become literate and gain in appreciation for reading; and

WHEREAS, under the leadership of President Dr. Marvine Garrett, the Council continues to meet the challenge in identifying students and keeping abreast of the skills and methods needed for a successful experience.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh recognizes the Three Rivers Reading Council of the International Reading Association as an organization committed to the right that all

citizens be afforded the opportunity to have the tools needed to function in a society based on reading; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh, in harmony with reading councils throughout Pennsylvania, declares April 1992 as "Parents and Reading Month" in the City of Pittsburgh.

Mr. Darkins moved to adopt the resolution.

Mr. Ferio seconded the motion.

Which motion prevailed.

Mr. Darkins:

We have today with us the President to receive this.

Speaker:

Thank you very much for awarding our organization and declaring April ■ Parents and Reading Month to promote literacy throughout Allegheny County.

We are promoting it in another way also. April 12th is our Reading Day at the Zoo and we hope that the parents of Allegheny County will come out. After all, we recognize that parents are an important factor in helping children to achieve. If you just read to your children twenty minutes a night, achievement will be improved.

We thank you very much for this award.

Mr. Darkins presents

No. 628 WHEREAS, Hand In Hand, Inc. is a non-profit organization working in the tradition of Dr. Martin Luther King, Jr. improving health and welfare of all our citizens to bring togetherness among all races; and

WHEREAS, Hand In Hand, Inc. is an organization which awards scholarships to interracial groups of high school students throughout the County who have kept the goals of Dr. Martin Luther King, Jr.; and

WHEREAS, Hand In Hand, Inc. will hold a Community Service Awards Dinner on April 3, 1992 at the Sheraton in Station Square to honor persons who have helped achieve the goals of this organization; and

WHEREAS, Hand In Hand, Inc. wishes to honor the following six leaders for their diligent endeavors in church, home and community services at its 21st Annual Dr. Martin Luther King, Jr. Scholarship Awards Banquet on April 3, 1992. The honorees are: Samuel Marotte; John P. Robin; Joyce Rothermel; Gladys C. Harper; Alberta Thompson; and Reverend Jason A. Barr, Jr.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby commends National President Alfreda L. Tyson for her dedication, devotion and love; and

BE IT FURTHER RESOLVED, that the Council congratulates the 1992 Hand In Hand Award Winners for their contributions to community service which help to keep the dream alive.

Mr. Darkins moved to adopt the resolution.

Mr. Milliones seconded the motion.

Which motion prevailed.

Mr. Milliones presents

No. 629 WHEREAS, hundreds and thousands of men and women have served in

various branches of the U.S. Military Forces in all parts of the world, risked their lives and left families behind in defense of the United States of America and its foreign policies; and

WHEREAS, these soldiers in wartime fought on unfamiliar turf in World War I and II, the Korean War, the Vietnam War, and Desert Storm. Many soldiers returned home (to the United States) physically unscathed, but those less fortunate were wounded, killed, maimed or suffered mental disabilities. Some were, and some remain, prisoners of war (POWs), while others are still missing in action (MIAs); and

WHEREAS, April 9, 1992 marks the 50th Anniversary of the Fall of Bataan and Corregidor to the Japanese in World War II; and

WHEREAS, the Veterans Administration, the Pittsburgh Chapter of the American Defenders of Bataan and Corregidor, and the Pittsburgh Chapter of American Ex-POWs is sponsoring a ceremony and service honoring all soldiers "missing in action" from the above mentioned wars at the Veterans' Administration Medical Center Auditorium, Highland Drive, in Pittsburgh, Thursday, April 9th at 10:30 a.m.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh recognizes the 50th Anniversary Observance of the Fall of Bataan and Corregidor, the bravery demonstrated by these soldiers, and sacrifices they made in serving our country, and proclaims Thursday, April 9, 1992 as "National P.O.W. Recognition Day" in the City of Pittsburgh.

Mr. Milliones moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. Onorato:

At this time, I'd like to call up Alice Carter, Vera Parker, Andrea Hudley, Stephanie Turman, Dr. Leon Haley and Reggie Ward.

Mr. Onorato presents

No. 630 WHEREAS, Dr. Alice Carter, 64, lived the past 34 years in Pittsburgh and now resides on the North Side; and

WHEREAS, Dr. Carter earned her Doctorate in Education from the University of Pittsburgh in 1982, and is now the Education Director for the Urban League of Pittsburgh where she has worked since March 1, 1968; and

WHEREAS, some of the duties Dr. Carter performs in her position as Education Director are public speaker, human relations specialist, adult educator, program coordinator and developer, and counselor; and

WHEREAS, "Can I Get A Witness? Growing Up In The Black Middle Class In Erie, PA" was written by Dr. Carter and gives the youth of today a picture of what life was like before the Civil Rights Movement; and

WHEREAS, Dr. Carter has served on numerous advisory groups including the Pittsburgh Public Schools Desegregation Advisory Committee, has been a guest lecturer at the University of Pittsburgh, CCAC, Chatham College and the Earl Wheeler Proprietary School, and has been a workshop leader for many educational seminars; and

WHEREAS, the honors previously bestowed on Dr. Alice Carter are too extensive to list but include the Prestigious Education Award from Alleghenians LTD., and was presented for excellence in leadership in the field of Education

on February 23, 1992; and

WHEREAS, the gift that Dr. Carter gives to us all is a remembrance of what life for minorities was like in the past, and a belief that the future can and will be different; and

WHEREAS, Dr. Alice Carter will retire from her position at the Urban League in November but will leave a heritage of hard work and dedication.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh recognizes Dr. Alice Carter for her outstanding work and achievements throughout her life thus far.

Mr. Onorato moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Onorato:

Mr. President, colleagues, it's a great honor for me to give Dr. Carter this award because she is an example of someone that not only states the problems in the community but actually does something to improve the environment that we all live in.

At this time, I'd like to ask Dr. Carter to say a few words.

Dr. Carter:

Thank you, Councilman Onorato, and the rest of the Councilmembers.

Before I make my statement, I'd like my boss to come up because he's the one who is responsible for me being hired by the Urban League in 1968 and then he left us and then he

came back and I just want to see what he thinks of me.

Dr. Haley:

Let me say this. I don't think you Councilmen will see me next Wednesday. I was here a week ago for my wife; now I'm here for my second wife. Don't put that in the Record.

But, you know, your recognition of Dr. Carter's work on behalf of this community, and certainly her work with the Urban League, is tantamount to a recognition of the Urban League itself. On behalf of the Board of Directors and the staff and the community that Alice has served for a long time, I want to express our appreciation to you for recognizing the valuable contribution she has made to education in this City. Indeed, we're all going to be at a loss to find a replacement for Alice at the Urban League and I've begun to worry about that.

Thank you very, very much.

Dr. Carter:

I'm not a native Pittsburgher, you know that, but I have adopted Pittsburgh as my City. Now the National Urban League knows that I'm going to retire and they don't want to lose anything so I'm going around the country training other education people all over the country on how they can be a good education director in the Urban League movement.

When I walk into the City, and so far I've been to Anaheim, California for the western region, and just last week in Tulsa, Oklahoma for the southern region, and I'm going to Fort Wayne, Indiana this Saturday, but when I walk into the room they say, "Oh, here's Dr. Carter from the Urban League of Pittsburgh." So, every place I go I take Pittsburgh with me. I love you, I love the City. Thank you so much.

The Chair:

I'd like to ask the following people to please step forward for the upcoming resolution. Those individuals are: Joni Wilson who is a route person for the Pittsburgh Press and the Pittsburgh Post Gazette, Mike O'Hare who is a youth carrier or paperboy, and Myrtle Jefferson who is the mother of four youth carriers and lives in the Hill District.

I would like everyone to know, as these individuals are stepping forward, that this resolution is co-sponsored by Councilman Cohen, Councilman Darkins, Councilman Ferlo, Councilman Milliones, Councilman O'Connor, Councilman Onorato and Councilman Ricciardi. Literally, that shows you the importance of this resolution.

I might also say, prior to reading it, that sometimes when you speak out against the so-called establishment and, in this case, the media, the written media, that is not always the popular thing to do, especially for people in public life. However, we feel very strongly about what we're saying today and we don't view it as being negative but a very positive statement.

Mr. Wagner, Mr. Cohen, Mr. Darkins, Mr. Ferlo, Mr. Milliones, Mr. O'Connor, Mr. Onorato and Mr. Ricciardi present

No. 631 WHEREAS, the Pittsburgh Press and Post Gazette plan to discontinue the utilization of youth carriers in the distributions of its daily newspaper; and

WHEREAS, the Pittsburgh Press and Pittsburgh Post Gazette has operated since its inception with youth carriers in the Greater Pittsburgh area, delivering the news street by street and door by door in a personal and extremely efficient manner; and

WHEREAS, the utilization of youth carriers provides a meaningful opportunity for young citizens to gain valuable experience in the working world as entrepreneurs, and further provides valuable gainful employment in a manner in which they are economically compensated for their efforts; and

WHEREAS, generally speaking, working as a youth carrier is the first job for many young people and the position teaches responsibility and respect, and provides experience interacting with people at a young age; and

WHEREAS, the time spent by youth carriers in gainful employment is socially acceptable behavior, and may also prevent those youths from being attracted to less socially desirable activities or conduct.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh favors the current system of distribution employed by the Pittsburgh Press and the Pittsburgh Post Gazette employing a youth carrier distribution system over the proposed adult carrier distribution system for the reasons set forth above; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh is committed to work with the Pittsburgh Press and the Pittsburgh Post Gazette to maintain this valuable resource of youth employment for all young people in the Pittsburgh area.

Mr. Milliones moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

The Chair:

Thank you, Members of Council. All of you may want to chime in after I say a few words and give your comments in regard to this resolution. And then I would like the three people up here with me to say a few words also.

I want all of you to know that my first job was ■ paperboy. I read the newspapers daily, as I'm sure many of you do, and there's a couple columns in the Pittsburgh Post Gazette and the Pittsburgh Press each week, the Dossier that appears in the Post and the TW-2 Profile that appears in the Press. Repeatedly, I see whoever is being interviewed that the majority of times the first position of that individual in the working environment is a youth carrier.

I get two newspapers at home today, the Post Gazette and the Press. One is a youth carrier and one is an adult. And I can tell you that the service provided by the youth carrier is superior to the one provided by the adult. I can also say that I like the interaction provided and the opportunity of employment provided to a young person that lives in my neighborhood.

I think that system is ■ great system and I would hope that the two newspapers in the Pittsburgh area would reconsider their position and find every means possible to continue the youth carrier opportunities provided to young people today.

I would like now to introduce a few people that are here to receive this resolution and would like to add to those comments. The first is Joni Wilson who is ■ route person for the Pittsburgh Press and the Pittsburgh Post Gazette.

Ms. Wilson:

Thank you very much for your adoption of the resolution.

I have the best job in the City. You people might think you do, but I do. I work with youngsters and I see them develop from a shy 11 year old to a young person that knows the thrill of making money, and of budgeting the money that they make. Some of the money goes for fun things. But every carrier that works for me puts at least \$5 a week away in the bank for college, for saving for the future.

I just hired a boy recently and his mother said to me, "What a difference in the six weeks since he's had his paper route." He was so shy and backward and she was a little concerned about him. He is now responding to people. He's becoming a little more extroverted and the biggest amazement of all is she said to me, "This money machine, who is my son, eating up my money, now that he's making \$40 a week he's banking every penny."

This job is real important for all of the kids in Pittsburgh. It's ■ Pittsburgh tradition and I just hope that we can keep it here. Thank you very much.

The Chair:

I'd like next to introduce Myrtle Jefferson who is the mother of four children who are youth carriers and lives in the Hill District.

Mrs. Jefferson:

Thank you. I'm Mrs. Jefferson and I have four kids that do the paper. Also, I really appreciate them doing the paper because it has really taught them the responsibility of holding down jobs, learning to deal with different people in the neighborhood, and also earning their money and learning how to spend it.

They are doing a great job and my two oldest kids have been in it for eight years and they

have had two jobs. It really keeps them out of trouble being busy with the Press. Thank you.

The Chair:

Our final speaker today is a youth carrier, a paperboy, a young man by the name of Mike O'Hare. He took the day off school but I'm sure he's getting a real education here in government today. His parents are with him and we're please to see them here today.

Mike O'Hare:

My name is Mike O'Hare. I'm a sophomore at Upper St. Clair High School and I've been a Press Carrier for two and a half years.

Last October when the Press first announced that they were switching to the adult carrier system, I wrote a letter to Mr. James Mandis, the General Manager of the Press, and I've been asked to read that letter today.

"Dear Mr. Mantis:

I am one of your 4,300 plus loyal, hard-working youth carriers who are about to be eliminated from their positions. Every day at 2:30 after a hard day at school, we come home to a waiting stack of papers and deliver them.

Mr. Mantis, we have listened to your side of the story; now I'd like you to listen to ours.

First of all, I didn't like coming home after delivering 65 papers and seeing "Press Plans Switch To Adult Delivery System" on the front page. After we work hard for you every day, I think we at least deserve the respect of being notified before you publicly announce this decision which could very possibly affect the next few years of our lives. I had plans for the money that I would make, but now that my position is no longer needed, I will not have the

money to pursue the interests that I had hoped.

Mr. Mantis, you said that you started your career as a carrier, but this is hard to believe since you seem to be eliminating all these jobs for no reason at all. You say it will save money; maybe it will. But what about all the lessons it teaches your youth carriers such as responsibility, perseverance, dedication, the value of hard work, and the value of money? Some very important lessons for a young adult to learn.

A paper route also teaches a carrier how to deal with people. On a route, you run into all kinds of people, like the people who complain about everything, even the paper being early.

All of these are valuable lessons which should be taught to children and you're prepared to throw all that out the window just to save a few bucks. Why?

In your interview in the Press, you say that this will improve delivery. I don't see how that is possible. Will the adults take the elderly ladies' garbage cans out on garbage day? Will they ring Mr. P.'s doorbell to let him know the papers are there? Will they wash Mr. S.'s dog and cut Mrs. C.'s grass? The answer is no.

This, Mr. Mantis, is a large part of what being a paperboy is all about. How many of these people subscribe to your paper just because of the extra service they receive?

I've been delivering the Press for two years now and I have no intention of giving up my route. When the little boy next door to me found out about your intentions, he began to cry because he has been patiently waiting for me to turn over the route to him when I was ready to move on. I guess he'll never get that chance now, thanks to you.

Sincerely,

Mike O'Hare

P.S. I cordially invite you to join my father and I at 6:00 a.m. this Sunday morning to deliver 84 papers and see how the Press really makes its money. Remember to dress warmly and bring a flashlight because it gets awfully cold and dark on the other side of a desk."

Thank you.

Mr. Ferlo:

Mr. President, being a paperboy was my second job but I think clearly all of us are concerned and we support the comments you made. But I just want to additionally add one thing. The Press and the Post Gazette newspapers have enjoyed a monopoly in the advertising market locally for many decades and I think they owe something back to the community, especially the City of Pittsburgh and our inner City neighborhoods. I just want to make a moral appeal to them to re-evaluate their position.

Michelle Madoff:

You know, I hate to bring it down to the real world here. I was asked whether I would join this legislation today at the last minute, and I'm very happy to do that, except that I'd like to point something out. I don't see, frankly, and perhaps somebody could shed some light on this, how are you going to save money by going from the youth to senior citizens? It's the same money; you pay the same in the delivery. I don't see any savings here. I just don't see any savings.

But I do think there is some merit in looking, as I said, at the real world. I know hundreds of people who tell me all the time that they can't get their paper delivered. They live in certain areas that children of the more affluent

area frankly and frequently do not wish to be delivery people, and they can't get kids coming in from other areas.

So, wouldn't it be sort of logical to use those youth who really want to deliver papers and not take their jobs away. I think that's a terrible thing to do. And then subsidize those routes where they can't get youth to deliver with their other program. Why can't the paper look at an arrangement that would satisfy the public but not hurt the kids who start off on paper routes and teach them a sense of money and being responsible? I don't think we want to throw the baby out with the bath water. I think that's basically what I'm saying.

On the other hand, Bill Urbanic in my office doesn't get the paper, and he's my aide, because he can't get it delivered. People in our building frequently don't get it delivered. We have to have the young man who works in the building deliver the paper.

There are problems and I think that people of good faith working together can solve those problems without hurting the youngsters.

And as was pointed out eloquently today, a lot of our good citizens who have accomplished much and have gone on to be presidents of companies, all started out as paperboys or papergirls.

Mr. O'Connor:

Jack, again, I was a paperboy and it was my first job. But on the contrary, I have my late edition of the Press delivered to my house at 4:00. It's remarkable how they can do it so fast, print the papers, get them delivered and to my house. So, I really compliment the service.

One of their arguments, I understand, is that there's a lack of kids in certain areas. But I

think that you should look around. There's a baby boom going on and if there is a shortage right now, I'm sure they won't have it in a year or two.

To address one other issue. I think it goes further, and maybe we don't want to get into details here, there's economics and they're trying to save money, but if it came to it, I would rather pay a couple cents or a nickle more and keep the system, and I'm sure most people agree with me. As a last resort, I'd rather pay more and keep it the way it is and keep our kids working. We have good drivers, a lot of family members, Pittsburghers who have been here all their life driving those trucks and I just think they're making a big mistake.

The Chair:

Thank you all for coming.

Mr. Cohen presented

No. 550 Resolution providing for an Agreement or Agreements with the Urban League of Pittsburgh for administrative assistance in operating the "Housing Counseling Program" for low-moderate income families, at a cost not to exceed \$210,000.00, chargeable to and payable from the 1992 CDBG Program, Department of City Planning, "Housing Counseling Services".

Also,

No. 551 Resolution providing for an Agreement or Agreements with the Commission on Families for administrative support in operating their program at a cost not to exceed \$100,000.00, chargeable to and payable from the 1992 CDBG Program, Department of City Planning "Commission on Families".

Also,

No. 552 Resolution providing for an Agreement or Agreements with Pittsburgh Community Services, Inc., for the implementation of the Home Security Program and the installation of locks and smoke detectors in the City, in an amount not to exceed \$250,000.00, chargeable to and payable from the 1992 CDBG Program, Department of City Planning, "Home Security Program".

Also,

No. 553 Resolution providing for an Agreement or Agreements with Pittsburgh Community Services, Inc., located at 1835 Centre Avenue for the provision of administrative assistance in carrying out programs for public services to low and moderate income persons, in an amount not to exceed \$210,000.00, chargeable to and payable from the 1992 CDBG Program, "Small Grants Program".

Also,

No. 554 Resolution providing for an Agreement or Agreements with Hunger Services Network for administrative assistance and operating funds for their Penn Avenue Office in an amount not to exceed \$57,500.00, chargeable to and payable from the 1992 CDBG Program - City Planning - "Hunger Services Network".

Also,

No. 555 Resolution providing for an Agreement or Agreements with Pittsburgh Community Services, Inc., located at 1835 Centre Avenue for the provision of administrative assistance in carrying out hunger related programs for public services to low and moderate income persons, in an amount not to exceed \$185,000.00, chargeable to and payable from the 1992 CDBG Program - City Planning - "Pittsburgh Community Services, Inc.".

Also,

No. 556 Resolution providing for an Agreement or Agreements with the Oakland Transportation Resource Center to provide administrative/operating support to the Agency in an amount not to exceed \$15,000.00, chargeable to and payable from the 1992 CDBG Program.

Also,

No. 557 Resolution providing for an Agreement or Agreements with the Western Pennsylvania Conservancy for the Community Self-Help Beautification and Community Gardening Programs in Community Development Neighborhoods, and for the development of floral beds on highly visible, vacant lots in the City at a cost not to exceed \$78,000.00, chargeable to and payable from the 1992 CDBG Program, Department of City Planning, "Western Pennsylvania Conservancy".

Also,

No. 558 Resolution providing for an Agreement or Agreements with the Dollar Energy Fund administrative/operating support at a cost not to exceed \$20,000.00, chargeable to and payable from the 1992 CDBG Program.

Also,

No. 559 Resolution providing for an Agreement or Agreements with Generations Together for administrative assistance with their youth volunteer services for the elderly program in an amount not to exceed \$12,000.00, chargeable to and payable from the 1992 CDBG Program, "Generations Together".

Also,

No. 560 Resolution providing for an Agreement or Agreements with CareBreak to provide support to low and moderate income families caring for handicapped children at home in an amount not to exceed \$50,000.00, chargeable to and payable from the 1992 CDBG Program - City Planning - "CareBreak".

Also,

No. 561 Resolution providing for an Agreement or Agreements with Pittsburgh Action Against Rape, an organization that provides counseling and information for women experiencing domestic violence problems, in an amount not to exceed \$41,000.00, chargeable to and payable from the 1992 CDBG Program, "Pittsburgh Action Against Rape".

Also,

No. 562 Resolution providing for an Agreement or Agreements with United Cerebral Palsy Association for administrative and/or operating assistance in an amount not to exceed \$23,000.00, chargeable to and payable from the 1992 CDBG Program.

Also,

No. 563 Resolution providing for an Agreement or Agreements with the Persad, Inc., and organization that provides counseling and information for AIDS related victims in an amount not to exceed \$45,088.00, chargeable to and payable from the 1992 CDBG Program - Department of City Planning.

Also,

No. 564 Resolution providing for an Agreement or Agreements with the Jewish Community Center for financial assistance in the operation of their scholarship program, in an amount not to exceed \$30,888.00, chargeable to

and payable from the 1992 CDBG Program - "Jewish Community Center".

Also,

No. 565 Resolution providing for an Agreement or Agreements with the Jewish Family and Children's Service Center (Senior Escort Program) to provide administrative support to the Agency in an amount not to exceed \$27,000.00, chargeable to and payable from the 1992 CDBG Program, "Jewish Family & Children's Service Center".

Also,

No. 566 Resolution providing for an Agreement or Agreements with the PA Association for the Blind in an amount not to exceed \$33,000.00, chargeable to and payable from the 1992 CDBG Program "PA Association for the Blind".

Also,

No. 567 Resolution providing for an Agreement or Agreements with Steel Valley Authority for administrative/operating support in an amount not to exceed \$30,000.00, chargeable to and payable from the 1992 CDBG Program "Steel Valley Authority".

Also,

No. 568 Resolution providing for an Agreement or Agreements with the Salvation Army - Inebriate Program to provide administrative/operating support to the Agency in an amount not to exceed \$60,000.00, chargeable to and payable from the 1992 CDBG Program "Salvation Army - Inebriate Program".

Also,

No. 569 Resolution providing for an

Agreement or Agreements with the Center for Victims of Violent Crimes for administrative assistance at a cost not to exceed \$30,000.00, chargeable to and payable from the 1992 CDBG Program "Center for Victims of Violent Crimes".

Also,

No. 570 Resolution providing for an Agreement or Agreements with Women's Center and Shelter, an organization that provides counseling and information for the low-income women experiencing domestic violence problems, in an amount not to exceed \$50,000.00, chargeable to and payable from the 1992 CDBG Program "Women's Center and Shelter".

Also,

No. 571 Resolution providing for an Agreement or Agreements with Community College of Allegheny County for administrative assistance in operating their "Employment Training Program for Special Need Adults" in an amount not to exceed \$6,900.00, chargeable to and payable from the 1992 CDBG Program - City Council - "Community College of Allegheny County".

Also,

No. 572 Resolution providing for an Agreement or Agreements with the Hazelwood-Glenwood-Glen Hazel Citizens Council for administrative assistance at a cost not to exceed \$9,000.00, chargeable to and payable from the 1992 CDBG Program - City Council - "Hazelwood-Glenwood-Glen Hazel Citizens Council".

Also,

No. 573 Resolution providing for an Agreement or Agreements with the Parental

Stress Center for purchase of land at a cost not to exceed \$3,000.00, chargeable to and payable from the 1992 CDBG Program - City Council - "Parental Stress Center".

Also,

No. 574 Resolution providing for an Agreement or Agreements with the Bloomfield-Garfield Corporation for administrative and/or operating assistance in running a low-moderate income youth oriented facility at a cost not to exceed \$9,000.00, chargeable to and payable from the 1992 CDBG Program - City Council - "Bloomfield-Garfield Corporation".

Also,

No. 575 Resolution providing for an Agreement or Agreements with the Lawrenceville Citizens Council for administrative/operating support of their "Housing Information Program" in an amount not to exceed \$5,000.00, chargeable to and payable from the 1992 CDBG Program - City Council - "Lawrenceville Citizens Council".

Also,

No. 576 Resolution providing for an Agreement or Agreements with the Lawrenceville Development Corporation for acquisition and site preparation in their housing development and revitalization program at a cost not to exceed \$3,000.00, chargeable to and payable from the 1992 CDBG Program - City Council - "Lawrenceville Development Corporation".

Also,

No. 577 Resolution providing for an Agreement or Agreements with the Lawrenceville Meals on Wheels for maintenance and program support not to exceed \$5,500.00,

chargeable to and payable from the 1992 CDBG Program - City Council - "Lawrenceville Meals on Wheels".

Also,

No. 578 Resolution providing for an Agreement or Agreements with Garfield Jubilee Association for administrative/operating support for their Community Maintenance Program in an amount not to exceed \$5,000.00, chargeable to and payable from the 1992 CDBG Program - City Council - "Garfield Jubilee Association".

Also,

No. 579 Resolution providing for an Agreement or Agreements with Elder-Ado, Inc., for administrative-operating assistance of their multi-purpose facility assisting elderly and low income persons at a cost not to exceed \$11,896.00, chargeable to and payable from the 1992 CDBG Program - City Council - "Elder-Ado".

Also,

No. 580 Resolution providing for an Agreement or Agreements with the Mom's House to provide administrative assistance with their services for Unwed Mother's Program in the amount not to exceed \$25,000.00, chargeable to and payable from the 1992 CDBG Program - City Council - "Mom's House".

Also,

No. 581 Resolution providing for an Agreement or Agreements with Elizabeth Seton Center for administrative assistance and operating funds of their Adult Day Care Program in an amount not to exceed \$12,000.00, chargeable to and payable from the 1992 CDBG Program - City Council - "Elizabeth Seton Center".

Also,

No. 582 Resolution providing for an Agreement or Agreements with the Homewood-Brushton Community Improvement Association for expansion to and operating assistance for their multi-purpose recreation facility in an amount not to exceed \$5,000.00, chargeable to and payable from the 1992 CDBG Program - City Council - "Homewood-Brushton Community Improvement Association".

Also,

No. 583 Resolution providing for an Agreement or Agreements with the Perry Hilltop South CDC for administrative support in operating a Food Bank, in an amount not to exceed \$18,888.00, chargeable to and payable from the 1992 CDBG Program - City Council - "Perry Hilltop South CDC".

Also,

No. 584 Resolution providing for an Agreement or Agreements with Esplen Senior Citizens Association for operating assistance in running their Food Bank Project, at a cost not to exceed \$18,000.00, chargeable to and payable from the 1992 CDBG Program - City Council - "Esplen Senior Citizens Association".

Also,

No. 585 Resolution providing for an Agreement or Agreements with the Golden Carriage, Inc., a non-profit corporation, to provide community social services including a shopping-transportation escort service to the aged, handicapped, and disabled in an amount not to exceed \$3,500.00, chargeable to and payable from the 1992 CDBG Program - City Council - "Golden Carriage".

Also,

No. 586 Resolution providing for an Agreement or Agreements with the Spring Garden Neighborhood Council, Inc., for assistance in carrying out their community lot beautification program, neighborhood rental program and the development of a community center at a cost not to exceed \$32,000.00, chargeable to and payable from the 1992 CDBG Program - City Council - "Spring Garden Neighborhood Council, Inc.".

Also,

No. 587 Resolution providing for an Agreement or Agreements with the Beltzhoover Neighborhood Council for administrative assistance in operating its services in an amount not to exceed \$7,500.00, chargeable to and payable from the 1992 CDBG Program - City Council - "Beltzhoover Council".

Also,

No. 588 Resolution providing for an Agreement or Agreements with the Bethlehem Lutheran Church for financial operating assistance in an amount not to exceed \$4,500.00, chargeable to and payable from the 1992 CDBG Program - City Council - "Bethlehem Lutheran Church".

Also,

No. 589 Resolution providing for an Agreement or Agreements with the Bidwell Education, Music and Recreation Center for the rehabilitation of their facility for use as a multi-purpose center, at a cost not to exceed \$26,328.00, chargeable to and payable from the 1992 CDBG Program - City Council - "Bidwell Education, Music and Recreation Center".

Also,

No. 590 Resolution providing for an Agreement(s) and Contract(s) with Consultant(s) and Vendor(s) to assist the City in improving its Citizen Participation Process, at a cost not to exceed \$300,000.00, chargeable to and payable from the 1992 CDBG Program "Citizen Participation and Technical Assistance" Department of City Planning.

Also,

No. 591 Resolution providing for an Agreement or Agreements with a consultant or consultants for the purpose of providing architectural and design services, consumer surveys and market studies, promotional activities, commercial revitalization planning assistance, and business district management in various neighborhood business districts as part of the City's Neighborhood Business District Revitalization Program, at a cost not to exceed \$255,000.00, chargeable to and payable from the 1992 CDBG Program, Department of City Planning "Neighborhood Commercial Analysis and Support".

Also,

No. 592 Resolution providing for an Agreement or Agreements with Pittsburgh Partnership, Inc., for administration of a program to provide funding for community development corporations undertaking community economic development activities in an amount not to exceed \$420,000.00, chargeable to and payable from the 1992 CDBG Program, Department of City Planning.

Also,

No. 593 Resolution providing for an Agreement or Agreements with Community Based Organizations for community and economic development planning assistance in

various neighborhoods in the City and providing operating support for these groups in an amount not to exceed \$600,000.00, chargeable to and payable from the 1992 CDBG Program - Department of City Planning "Community Based Organizations".

Also,

No. 594 Resolution providing for an Agreement or Agreements or Contract or Contracts, or use of existing Agreements or Contracts, with a Consultant or Consultants, or Vendor or Vendors, for the purpose of conducting planning and management studies, and related activities in support of such studies including the purchase of data and data analysis equipment and training in the use of such data and equipment, at a cost not to exceed \$200,000.00.

Also,

No. 595 Resolution authorizing the URA of Pgh. to submit an application for financial assistance in the amount of \$3,000,000.00 to the Pennsylvania Department of Commerce for the Federal North Project. (Council District #6)

Also,

No. 596 Resolution authorizing a Cooperation Agreement with the URA of Pgh. for the Federal North Project providing for the designation of \$575,000.00 of CDBG funds ■ the local share for a grant applied for in an application for financial assistance filed with the Pennsylvania Department of Commerce, Reimbursement of the Commonwealth by the City for any expenditures found to be ineligible and obligating the City to pay any local share of project costs. The grant will be used to assemble and prepare the site bounded by Federal, Reddour, Pernod and Eloise Streets prior to conveyance to a developer who will construct an

office building to be leased to Allegheny General Hospital. (Council District #6)

Also,

No. 597 Resolution authorizing the URA of Pgh. to submit an application for financial assistance in the amount of \$400,000.00 to the Pennsylvania Department of Commerce for the Glenwood Industrial Site Project. (Council District #5)

Also,

No. 598 Resolution authorizing a Cooperation Agreement with the URA of Pgh. for the Glenwood Industrial Site Project providing for the reimbursement by the City of the Commonwealth for any expenditures found by the Department of Commerce to be ineligible and obligating the City to pay any local share of project costs. The grant will be used to assemble and prepare properties located near the 5000 block of Herbert Way near the Glenwood Bridge for industrial use. (Council District #5)

Also,

No. 599 Resolution authorizing the URA of Pgh. to submit an application for financial assistance in the amount of \$250,000.00 to the Pennsylvania Department of Community Affairs for the Glenwood Industrial Site Project. The grant will be used to assemble and prepare properties located near the 5000 block of Second Avenue and Herbert Way near the Glenwood Bridge for industrial use. (Council District #5)

Also,

No. 600 Resolution authorizing a Cooperation Agreement with the URA of Pgh. for the Glenwood Industrial Site Project providing for the reimbursement by the City of the Commonwealth for any expenditures found

by the Pennsylvania Department of Community Affairs to be ineligible and obligating the City to pay any local share of project costs. The grant will be used to assemble and prepare properties located near the 5000 block of Second Avenue and Herbert Way near the Glenwood Bridge for industrial use. (Council District #5)

Also,

No. 601 Resolution authorizing the URA of Pgh. to submit an application for financial assistance in the amount of \$400,000.00 to the Pennsylvania Department of Commerce for the Lawrenceville Industrial Site Project. The grant will be used to assemble and prepare a 1.25 acre site in the 3000 block of Penn Avenue and Smallman Street for light industrial use. (Council District #7)

Also,

No. 602 Resolution authorizing a Cooperation Agreement with the URA of Pgh. for the Lawrenceville Industrial Site Project providing for the reimbursement by the City of the Commonwealth for any expenditures found by the Department of Commerce to be ineligible and obligating the City to pay any local share of project costs. The grant will be used to assemble and prepare a 1.25 acre site in the 3000 block of Penn Avenue and Smallman Street for light industrial use. (Council District #7)

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Darkins presented

No. 603 Resolution authorizing the Director of the Department of Public Works to grant an encroachment permit to Kenneth and Diane Baldinger, for a fence encroachment on a portion of the right of way of a 10' foot way in the

32nd Ward, 4th Council District of the City of Pittsburgh. This request is made by Kenneth and Diane Baldinger to fence off an area for a garden and their dogs.

Also,

No. 604 Resolution amending Resolution No. 334, eff. May 5, 1988, entitled "Providing for a Contract or Contracts, or the use of existing Contracts, for concrete slab replacement at various locations within the City of Pittsburgh, and providing for the payment of the cost thereof," by decreasing the total project allocation by \$26,902.61 from \$150,000.00 to \$123,097.39, chargeable to and payable from Code Account CDPW 87-03, Concrete Slab Replacement Program.

Also,

No. 605 Resolution Repealing Resolution No. 380, eff. May 5, 1989, entitled "Providing for a Contract or Contracts, or the use of existing Contracts, for furnishing, installing, removing and relocating certain electrical equipment necessary for Street Lighting in the City of Pittsburgh, at a cost not to exceed \$100,000.00, chargeable to and payable from Code Account CDPW 85-05, Street Lighting Throughout the City.

Also,

No. 606 Resolution providing for a Contract or Contracts, or the use of existing Contracts, for the rental of equipment in connection with the City of Pittsburgh's Asphalt Plant, at a cost not to exceed \$198,240.00, chargeable to and payable from Code Account 3-01-01-0001-92, Citywide Resurfacing Program.

Also,

No. 607 Resolution providing for a

Contract or Contracts, or the use of existing Contracts, for crack sealing, micro surfacing, cold in place recycling, sawing and sealing and asphalt testing, at a cost not to exceed \$1,416,125.00, chargeable to and payable from Code Account 3-01-01-0001-92, Citywide Resurfacing Program.

Also,

No. 608 Resolution providing for a Contract or Contracts, or the use of existing Contracts, authorizing the resurfacing of various city streets and park roads with bituminous materials, including asphalt milling, planing, regrading, recurbing and other work incidental thereto, at a cost not to exceed \$367,470.00, chargeable to and payable from Code Account 3-01-01-0001-92, Citywide Resurfacing Program.

Which were severally read and referred to the Committee on Public Works.

Michelle Madoff presented

No. 609 Resolution transferring the sum of \$75,000.00 from Code Account 1977, Utilities, Department of Water, to Code Account 1976, Materials, Purification & Pumping Division, Department of Water. This transfer is needed to pay for the purchase of replacement parts needed for use in the Clarifier Sludge Collection System.

Which was read and referred to the Committee on Finance.

Also,

No. 610 Resolution providing for the amendment of an Agreement of Lease with Forbes Street Associates of certain space at the 441 Smithfield Street Building to expand the area of the leased space to include additional lease space on the second floor; and to provide for

payment of rent in an annual amount of \$144,888.75 increasing the basic monthly rent to \$12,074.00. Effective on the date of the delivery of possession of such additional space, and subject to and conditioned upon the annual appropriation of sufficient funds therefor, chargeable to and payable from Code Account 1922, Misc. Services, Department of Water.

Which was read and referred to the Committee on Water.

Mr. Milliones presented

No. 611 Communication from Melanie Smith, Director, Personnel and Civil Services, requesting approval for John Turyan, (a non-City employee) Chair, Pittsburgh Private Industry Council (PIC), to attend the Board of Directors meeting of the National Association of Private Industry Councils on April 11-12, 1992 in New Orleans, Louisiana, at a cost not to exceed \$794.00, payable from the JTPA-1 Trust Fund.

Also,

No. 612 Resolution amending Res. No. 635 of 1991, entitled "Providing for the filing of an application or applications by the City of Pgh. with the Commonwealth of Pa. for a grant or grants in connection with the Joint Jobs Initiative Program Single Point of Contact Project and Transitionally Needy Project," by increasing the amount available for subcontractor agreements by \$66,586.00 from \$2,273,072.00 to \$2,339,658.00, chargeable to and payable from the JTPA-1 Trust Fund.

Also,

No. 613 Resolution further amending Res. No. 634 of 1991, as amended by Res. No. 1009 of 1991, entitled "Providing for the filing of an application or applications by the City of Pittsburgh with the U.S. Department of Labor

and/or Commonwealth of Pa. for a grant or grants in connection with the Job Training Partnership Act," by increasing the amount available for subcontractor agreements by \$877,384.00 from \$2,170,071.00 to \$3,047,455.00, chargeable to and payable from the JTPA-1 Trust Fund.

Also,

No. 614 Resolution providing for the issuance of a warrant in favor of Pamela A. Smoot, Historical Research and Archival Services, 1838 Arcena Street, Pittsburgh, PA 15219, in the amount of \$4,666.66 in payment for professional consulting services rendered to Councilman Jake Milliones, chargeable to and payable from Code Account 1001-2, Salaries, Wages and Services of Council, As Needed, Index Code 100123, City Council, Council District #6).

---(SPONSORED BY MR. MILLIONES)

Which were severally read and referred to the Committee on Finance.

Mr. Milliones moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Onorato seconded the motion.

Which motion prevailed.

Also,

No. 615 Resolution providing for the issuance of a warrant to Mary Gratkowski, Steve Verbanets, Shirley Deasy, Tony Eaves, Mary A. Hayes, Bechara Mejalli, James T. Deighan, Thomas J. Reddy and Stanley M. Stein, Esquire, their lawyer, in the amount of \$160,000.00 in full settlement of their claims for losses as a result of the termination of plaintiff's employment from

the office of the City Controller on December 31, 1986, payable from Code Account No. 46, Judgments.

Also,

No. 616 Resolution providing for the issuance of a warrant in the sum of \$22,500.00 to Victoria Coppler c/o Robert Rade Stone, Esquire, 1900 Law and Finance Building, Pittsburgh, PA 15219 in full and final settlement of an alleged accident involving a City vehicle and Ms. Coppler's vehicle on Penn Avenue at or near Penn Circle in the City of Pgh. on or about December 9, 1987, payable from Code Account No. 46, Judgments.

Also,

No. 617 Resolution authorizing the issuance of a warrant in favor of the Commonwealth of Pennsylvania to refund a reimbursement received from Computer Tech for a tuition refund which affects the closed fiscal year ending June 30, 1991. The total of the warrant will not exceed \$887.50, chargeable to and payable from the JTPA-1 Trust Fund.

Also,

No. 618 Resolution providing for the issuance of a \$2,135.54 warrant in favor of Alice Whitfield and Muncy Wilbert for property damage to her sewer system by City tree roots, payable from Code Account No. 46, Judgments.

Which were severally read and referred to the Committee on Finance.

Mr. Onorato presented

No. 619 An Ordinance amending and supplementing Ordinance No. 54, approved December 23, 1991, entitled, "An Ordinance amending the Pittsburgh Code, Title Six,

Conduct, Article I, Regulated Rights and Actions, Chapter 611, Alarm, Section 611.01 Definitions, by adding a new (b) Operative Alarm System and Changing the present (b) to 611.01(d) and adding Section 611.01(e) Multipurpose Alarm; and Section 611.03(a), to reflect the Operative Alarm System language and (c) to require the posting of a permit or permit number; and 611.07(a), False Alarm Penalty, by changing the false alarm penalty fee, and by adding Section 611.07(c), a 90 day grace period for false alarms and by adding Section 611.08, Penalty for Failure to Post or Obtain Permit," by amending Chapter 611 - Alarm, Sections 611.01 (b) and (e), 611.03(a), 611.06(a) and (b), renaming 611.07(d), and creating a new Section 611.09. —(SPONSORED BY MR. ONORATO, MR. RICCIARDI, MR. FERLO, MR. COHEN, MR. O'CONNOR & MR. DARKINS)

Which was read and referred to the Committee on Public Safety.

Mr. Onorato moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Cohen seconded the motion.

Which motion prevailed.

REPORTS OF COMMITTEES

Mr. Milliones presented

Bill No. 620

Report of the Committee on Finance for April 1, 1992 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 475

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Strategic Computer Assistance, Inc. in the amount of Five Thousand Five Hundred Fifty Dollars (\$5,550.00), in payment for computer training services provided by Fran McNeil of Strategic Computer Assistance, Inc. to the Bureau of Cable Communications, Department of Public Works, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

Also,

Bill No. 479

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of G.E. Supply, P.O. Box 102149, Atlanta, GA 30368, in the amount of \$1,412.60 in payment for a Switchgear Transformer furnished for the benefit of the City in connection with repairs to Pump #1 at Saline Street Pumping Station and providing for the payment thereof."

Which was read.

Also,

Bill No. 480

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of W.C. Weil Company, P.O. Box 199, Allison Park, PA 15101 in the amount of \$1,956.00 in payment for two pressure reducing valves furnished for the benefit of the City in connection with repairs to 20" line on Brighton Road feeding McNaugher

and Brashear Reservoirs and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 481

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Westinghouse Electric Corporation, P.O. Box 340172P, Pittsburgh, PA 15264, in the amount of \$995.00 in payment for bronze oil slingers furnished for the benefit of the City in connection with repair on Pump #3 at Aspinwall Pumping Station and providing for the payment thereof."

Which was read.

Also,

Bill No. 482

A Resolution entitled, "Resolution providing for the issuance of a warrant in the sum of \$13,500.00 to Lenore G. Sherman and Paul R. Giba, Esquire, 213 Smithfield Street, Pittsburgh, PA 15219 in full and final settlement of an alleged accident involving a City police vehicle at or near the intersection of Fifth Avenue and Beechwood Boulevard on or about August 15, 1987."

Which was read.

Also,

Bill No. 483

A Resolution entitled, "Resolution providing for the issuance of a warrant in the sum of \$4,000.00 to Diane C. Depra and Paul R. Giba, Esquire, 213 Smithfield Street, Pittsburgh, PA 15219 in full and final settlement of an alleged accident

involving a City police vehicle at or near the intersection of Fifth Avenue and Beechwood Boulevard on or about August 15, 1987."

Which was read.

Also,

Bill No. 484

A Resolution entitled, "Resolution providing for the issuance of a warrant to Timothy P. Wolfe and Emil R. Pecori, Esquire, in the amount of \$100,000.00 in full settlement of claim for personal injuries, and providing for the payment thereof."

Which was read.

Also,

Bill No. 488

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Consolidated Rail Corporation in the amount of \$295.30 in payment of railroad flagging services required for the inspection of the Larimer Avenue Bridge over Conrail; and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 9

NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bills passed finally.

Bill No. 527

A Resolution entitled, "Resolution further amending and supplementing Resolution No. 1294 approved December 20, 1991, as amended by Resolution No. 67, approved February 4, 1992, and by Resolution No. 256 approved March 10, 1992 effective January 1, 1992 entitled: 'Making appropriations to pay the expenses of conducting the Public Business of the City of Pittsburgh and for meeting the debt charges thereof for the fiscal year, beginning January 1, 1992,' by making certain additions and corrections." --(SPONSORED BY MR. MILLIONES)

Which was read.

Also,

Bill No. 528

A Resolution entitled, "Resolution amending and supplementing Resolution No. 1295 of 1991, approved December 20, 1991 as amended by Resolution No. 66 approved February 4, 1992, and Resolution No. 257 approved March 10, 1992 effective January 1, 1992 entitled: 'Resolution fixing the number of officers and employees of the City of Pittsburgh, and the rate of compensation thereof, and setting minimum

levels for designated positions,' by making certain additions and correction."

--(SPONSORED BY MR. MILLIONES)

Which was read.

Mr. Ferlo:

Mr. Chairman, in relation to Bill 527 and 528, this is on re-appropriating code accounts for the so-called legislative liaison, I think we just received information this morning but I would like to make a motion to recommit these two bills to get a fuller understanding explicitly from the Administration whether or not Mr. Farley will be a grants person or whether he will be a legislative liaison. I think we need more discussion on this.

Michelle Madoff:

Second for discussion. I can answer that question very simply, and you can go back to the comments I made the other day very succinctly. This is an effort on the part of the Administration and it is an excellent effort to have somebody in Washington to look for money as it becomes available from educational sources or JTPA sources and we should have had somebody there 100 years ago. We have not had a full time grants person looking at money, and perhaps even lobbying some of the legislators in Washington, to get us the money back to this community.

The word "grants person" was put on there to get my vote because I have been proposing a grants person now for ten years or so. My perspective of what I wanted for a grants person does not mean we should not have this grants person. The grants person I wanted was somebody that when we get to budget time, and I brought this up at budget time frequently, was that we have to turn down all kinds of very worthy, credible agencies like Literacy. We gave them a pittance last year where in Philadelphia they have the Mayor's Commission on Literacy.

The Women's Commission, we give them a pittance.

I thought that there was an interest on the part of the private sector here to subsidize some very important issues that pertain to the well being of the City and a grants person could do that when we have to turn people down.

That was misconstrued to me. Not even misconstrued, it was a matter of deliberately taking the title. That doesn't mean that the proposal to do this is bad; it is excellent and we should support it. However, at the same time I suggest that we not pass it at this moment until we go back to the Administration and we address the bigger issue. And the bigger issue --

The Chair:

Why don't we discuss that if it's held?

Michelle Madoff:

The bigger issue is part of this, Jack. No, I think we need to --

The Chair:

The motion is to hold and that's all we're discussing.

Michelle Madoff:

I don't think we need to hold one good bill unless this Council is willing to address the other issue. And they don't know if they're going to be willing unless I tell them what I've done and I'd like to share what I have done with them.

The Chair:

But we're going to wait and see if the motion to hold applies or not. If it does, this will be back in Committee tomorrow.

Michelle Madoff:

But what I'm suggesting, Mr. President, is that we shouldn't hold this unless Council is willing to address the other issue; then I suggest we hold it. They don't know if they're willing to address the other issue because I haven't told you what the other issue is yet.

The Chair:

Please tell us.

Michelle Madoff:

Okay. Last week I had occasion to have lunch with one of the CEOs of Pittsburgh. And when we were having lunch, one of the people who was before Council at about the tenth hearing saying, "We have a problem and what is Council doing and what is government doing for us?" I said, "It's one thing to bitch and moan; the other one is to join us in some kind of effort. Why don't you help offset the cost of a lobbyist?"

I went on to say that today we voted, preliminary vote, for a Washington grants person who is going to be called a Washington Lobbyist, but it wasn't really addressing their concerns that we had been beleaguered with in the community which is the issue of amusement tax, the issue of reforms in our taxes and so on.

I went on to point out that Chuck Kohling, the Pittsburgh lobbyist, serves four masters: the City of Pittsburgh at a maximum of \$20,000 a year, the URA at \$8,400, the County at \$40,000 and the Port Authority at \$15,600 for a total of \$84,000. But we needed our own full-time lobbyist and he said it's a very interesting concept. So, I came back and I immediately wrote a letter to Jacques Kahn which essentially, I don't need to read the letter, states very much the same thing. I sent it to the following people:

Carol Brown, the Executive Director of Pittsburgh Cultural Trust; Tito Capobianco of the Pittsburgh Opera; Doug Danforth; the Pirates; DiCesare-Engler; Pittsburgh Public Theater; Civic Light Opera; Golden Triangle; BOMA; Cinema World; Pittsburgh Ballet Theater; Pittsburgh Penguin Hockey; Sophie Masloff; City Theater Company; Stern Enterprises; the Symphony.

What happened was that I also found out that a lot of the corporate people were out of the loop. I was not contacting them because they were members of the Chamber or members of Allegheny Conference, but would not normally get this through BOMA or the Golden Triangle.

I just spoke to Justin Horan of the Chamber and he suggested that I contact people directly like Dick Simmons of Allegheny Steel, Ludlum, and he wanted a copy. I talked to some of the media people.

So, basically what I'm suggesting is that we have a public-private partnership. If the City is not going to give us, the Administration support us in a \$100,000 lobbyist, then we find the money elsewhere. And they think it's an interesting idea.

Subsequently, an article came out in the paper, as you may have read. It's like the accurate article on the historic designation in Oakland where we're supposed to have let the Churches off the hook, which we didn't do, and here's another article which says, "Pittsburgh is going to have a Washington full-time lobbyist. We're finally getting a full-time lobbyist," which distorted what really happened.

So, in clarification I sent to the same people a memo and it says:

"Apparently the people who run our City government are so in the habit of using

euphanisms, they just can't help themselves anymore. Example, Mayor Masloff.

Early this week I sent you a note concerning a proposal to create a full-time lobbyist position which would be partially subsidized by private money. In response, yesterday's Pittsburgh Press informs us that the City is hiring someone to go after federal funds and spend his time in Washington.

While I have no objection to the City becoming aggressive and pursuing State and Federal grants, a grantsman is not a lobbyist, full-time or otherwise. To address the significant structural problem regional cities like Pittsburgh face, we must have a full-time pro-active effort in Harrisburg, an effort which can only be spearheaded by a full-time lobbyist like the one I proposed to you a few days ago."

The Chair:

Councilwoman Madoff, every Councilmember has read this. We are voting to hold this bill. Is there any other comment on holding?

Michelle Madoff:

They couldn't have read it. I just gave it to them.

The Chair:

Roll call vote on holding the bills.

Michelle Madoff:

Are we going to vote to hold it with the idea that we are going to try to get a full-time lobbyist at the same time? That's the issue.

The Chair:

Obviously you would be discussing this tomorrow if we're holding it.

Michelle Madoff:

Okay.

The Chair:

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Darkins
Mr. Ferlo
Michelle Madoff

Mr. Onorato
Mr. Ricciardi

AYES 5

NOES 4

VOTING NO:

Mr. Cohen
Mr. Milliones

Mr. O'Connor
Mr. Wagner
(Pres't)

And a majority of the votes of Council being in the affirmative, the motion was approved.

Mr. Darkins presented

Bill No. 621

Report of the Committee on Public Works for April 1, 1992 transmitting one ordinance and one

resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 432

An Ordinance entitled, "An Ordinance amending and supplementing the Pittsburgh Code, Title Four, Article I, Chapter 416, Section 416.03 by adding specific requirements for permitting encroachments and assuring the encroachment is in compliance with the Pittsburgh Code."

---(SPONSORED BY MR. RICCIARDI)
(AS AMENDED IN COMMITTEE)

Which was read.

Also,

Bill No. 476

A Resolution entitled, "Resolution granting unto West Penn Hospital, 720 Gross Street, Pittsburgh, PA 15224, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, lights, poles, pole foundations and conduit in portions of the right of way of Aloe Street, which is considered a paper street, in the 8th Ward, 8th Voting District of the City of Pittsburgh."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Cohen presented

Bill No. 622

Report of the Committee on Planning, Housing and Development for April 1, 1992 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 474

A Resolution entitled, "Resolution renewing Resolution No. 572 approved by City Council on May 28, 1991, authorizing the University of Pittsburgh Medical Center, agent on behalf of the Department of General Services of the Commonwealth of Pennsylvania, to construct a 200,000 square foot, ten-story medical research facility atop the existing Victoria Street Parking Garage on the northerly side of Victoria Street at Darragh Street, 4th Ward."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also, with a **NEGATIVE** recommendation,

Bill No. 150

A Resolution entitled, "Resolution providing for the designation as a Historic Structure under Section 513 of Chapter 1007 of the Code of Ordinances that certain structure known as the Giovannitti House, more particularly located at 118 Woodland Road (Block and Lot Number 85-R-214) in the 14th Ward, City of Pittsburgh."

Which was read.

Mr. Cohen:

Mr. President, I'd like my comments brought forward on Bill 150 regarding the Giovannitti House.

Michelle Madoff:

I'd like my comments brought forward also.

Mr. Onorato:

I would like my comments brought forward also.

(REMARKS ON FOLLOWING PAGES)

(MR. COHEN'S COMMENTS ON BILL NO. 150-Wednesday, 4/1/92)

Mr. Cohen:

This is the Giovannitti house which, as everyone knows, is in Squirrel Hill. There was a public hearing here last week about this house. The Historic Review Commission, albeit in a luke warm way, has recommended this for historic designation. The Planning Commission has not. I have serious concerns about this bill, and personally I am going to be voting against historic designation. I think most of us were here when the chairman of the Historic Review Commission addressed us, and he said that the Historic Review Commission's endorsement of this was a very luke warm endorsement, they said that it satisfied only one of the four criteria for historic designation. I have problems with this, because the building is new, it is only eight years old. The architect himself is against designation of this building, and this is a very renowned architect.

(Continued on next page.)

(Transcribed by Helen L. Kriebel, Stenotype Reporter)

(CONT'D -- MESSRS. COHEN AND ONORATO AND MICHELLE MADOFF'S
COMMENTS ON BILL NO. 150, WEDNESDAY, APRIL 1, 1992)

(cont'd)
Mr. Cohen:

I do think that the construction problems with the house are relevant. The house is really in disrepair. I have visited it several times and I do think that the building should be the sum total of its construction and its design and in this case the construction is in bad shape.

I have a problem with the fact that the person who nominated the building did not even show up at the public hearing. I don't think it should be an important factor in our decision but I do think it's a relevant factor and for all of those reasons I'm opposed to the designation of this building.

Michelle Madoff:

I agree with everything that Mr. Cohen has said. The architect says he is vehemently opposed to the designation and I think this is a very self serving individual, self serving in that he recommended it himself that his house be declared historic so that he can buy time as his wife said but her name isn't even on the deed but nevertheless, they don't have a million dollars to redo it so they're going to inflict whatever they want on their community. We can't endorse that kind of behavior and I would urge this Council to please not support this.

Mr. Onorato:

I also would like to go on record to state that from the public hearing that I thought it was a very sad argument that they compare this building with the Fallingwater architect. There is no comparison as I stated at the hearing. Fallingwater definitely was created to compliment the environment that it sits. This building is just the opposite. It was in conflict with everything around it on the road and if the Woodland Road area was a designated historical area, there's no way the Historical Review Commission would have permitted a building like this to be constructed.

I stated on different historical designation issues that a designation should not be used as a weapon and I feel in this case that the designation is not for the architectural design, I think there's other reasons and the fact that it's in an area

where it does not compliment any of the surrounding buildings I will not vote for designation.

(END OF COMMENTS)

PREPARED BY: MARY ANNE HRUSKA
STENOTYPE REPORTER

Mr. Milliones:

Clarification on the vote, Mr. President.
An aye vote on the second bill, which has a
negative recommendation, that bill is rejected. Is
that correct?

The Chair:

Just to clarify and make simple, a no vote
would be to defeat Bill No. 150, even though it
has a negative recommendation.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass
finally?"

The ayes and noes were taken agreeably
to law, and were:

Ayes:

Mr. Ferlo

AYES 1 NOES 8

VOTING NO:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Michelle Madoff	Mr. Ricciardi
Mr. Milliones	Mr. Wagner
	(Pres't)

And a majority of the votes of Council not
being in the affirmative, the bill was defeated.

Mr. Ferlo presented

Bill No. 623

**Report of the Committee on General Services for
April 1, 1992 transmitting one resolution to
Council.**

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 478

**A Resolution entitled, "Resolution providing for
an agreement or agreements or for the use of
existing agreements for an internship for
graduate student(s) for a period of one year, from
January 1, 1992, until December 31, 1992, to
perform various energy related services for the
Department of General Services and providing
for the payment of the cost thereof."**

Which was read.

The Chair:

Is there any discussion on the bill?

**And on the question, "Shall the bill pass
finally?"**

**The ayes and noes were taken agreeably
to law, and were:**

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. O'Connor presented

Bill No. 624

Report of the Committee on Parks and Recreation for April 1, 1992 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 485

A Resolution entitled, "Resolution providing for the filing of an application or applications by the City of Pittsburgh with the U.S. Department of Interior, National Parks Service for the Urban Parks and Recreation Recovery (UPARR) Grant in connection with the Environmental Education Innovative Project; providing for the execution of a grant contract and for the filing of requisitions and other data; approving the project; providing for required assurances; providing for the execution of payment vouchers on Letter of Credit; providing for the certification of authorized signatures; and for the deposit of funds into the Frick Park Trust Fund Account."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Onorato presented

Bill No. 625

Report of the Committee on Public Safety for April 1, 1992 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 487

A Resolution entitled, "Resolution providing for an Agreement or Agreements with an independent contractor for the purchase of pharmaceutical services, supplies and medications necessary for the operations of the Bureau of Emergency Medical Services. The total amount shall not exceed \$15,000.00 and shall be chargeable to and payable from Code Account 1422."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass

finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Ricciardi presented

Bill No. 626

Report of the Committee on Engineering and Construction for April 1, 1992 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 489

A Resolution entitled, "Resolution further amending Resolution No. 1415, effective January 1, 1991, as amended, entitled 'Adopting and approving the 1991 Capital Budget and the 1991 Community Development Block Grant Program; and approving the 1991 through 1996 Capital Improvement Program,' by transferring a portion of PW 91-47 (Signals at Various Intersections) Department of Public Works to EC 91-47, (Signals at Various Intersections) Department of Engineering and Construction."

Which was read.

Mr. Ricciardi:

Mr. Wagner, on Bill 489, Mr. Cohen had requested certain information. That information was not forwarded to his office; hence, I would like to recommit Bill No. 489.

Mr. Cohen seconded the motion.

WHICH MOTION PREVAILED.

Also,

Bill No. 490

A Resolution entitled, "Resolution further amending Resolution No. 157, effective March 22, 1989, as amended by Resolution No. 600, effective July 27, 1989, entitled 'Providing for a Contract or Contracts, or use of existing Contracts, for Street Tree Planting at Various Locations in the City of Pittsburgh; and providing for the payment of the cost thereof,' by decreasing the total project allocation by \$468.49 from \$100,000.00 to \$99,531.51."

Which was read.

Also,

Bill No. 491

A Resolution entitled, "Resolution providing for a Cooperation Agreement or Agreements with The Carnegie in connection with the Buhl Science Center; and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 492

A Resolution entitled, "Resolution providing for an Agreement or Agreements, or use of existing Agreements with a Consultant or Consultants, in connection with the NBIS Update Bridge Inspection of the Fort Pitt Boulevard Eastbound Bridge; providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation; and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 493

A Resolution entitled, "Resolution providing for an Agreement or Agreements, or use of existing Agreements with a Consultant or Consultants, in connection with the NBIS Update Bridge Inspection of the Schenley Park Bridges over Boundary Street and Panther Hollow; providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation; and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 494

A Resolution entitled, "Resolution providing for an Agreement or Agreements, or use of existing Agreements with a Consultant or Consultants, for Structural Engineering Services as needed; and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 497

A Resolution entitled, "Resolution further amending Resolution No. 320, effective April 3, 1990, as amended by Resolution No. 1202, effective November 28, 1990, entitled 'Providing for an Agreement or Agreements, or use of existing Agreements, with a Consultant or Consultants, for Design Services in connection with the Reconstruction and Stabilization of Various Retaining Walls, including but not limited to Andover Terrace, Dakota Street, Pusey Street, Rubric Street and Sprain Street; and providing for the payments of the costs thereof,' by increasing the total project allocation by \$75,000.00 from \$125,000.00 to \$200,000.00."

Which was read.

Also,

Bill No. 498

A Resolution entitled, "Resolution further amending Resolution No. 1296, effective January 1, 1992, as amended, entitled 'Adopting and approving the 1992 Capital Budget and the 1992 Community Development Block Grant Program and approving the 1992 through 1997 Capital Improvement Program,' by creating a new line item EC 92-68, Schenley Park Bridge over Boundary Street Trust Fund Transfer."

Which was read.

Also,

Bill No. 499

A Resolution entitled, "Resolution providing for the creation of a special trust fund to be known as 'Schenley Park Bridge over Boundary Street Trust Fund' for the deposit of funds and reimbursements to be used for the Rehabilitation

of the Schenley Park Bridge over Boundary Street."

Which was read.

Also,

Bill No. 500

A Resolution entitled, "Resolution providing for a Contract or Contracts for the Rehabilitation of the Schenley Park Bridge over Boundary Street, including necessary work on private property and other work incidental thereto; providing for a Reimbursement Agreement with the Commonwealth of Pennsylvania, Department of Transportation; and providing for the payment of the costs thereof."

Which was read.

Michelle Madoff:

Bills 492, 493 and 500 are examples of what I call outrageous disregard for what this Council has tried to do. It took me about three years of concentrated effort, and God knows how many years before that, to attempt to stop the giveaways in bricks and mortar contracts so that we don't advertise, "Come and get us, we have \$3 million", and the bids come in at \$2,999,000.

To simplify for those who may be listening, like the Fire Station on the North Side which is numbers we can probably more easily relate to, \$70,000; they came in in 68, 69 and 66. The 66 gets it.

We put the same bid out the season before for \$25,000.

What I was trying to do was not tell people how much money we have to spend. If any of us are building a house, we get an architect, we design the house and we put it out

for bid. We don't say we're going to spend \$200,000 or \$300,000 or \$50,000. We say, "How much will you build this house for?"

But because the City has a problem, which is realistic, that of alerting people who may want to bid whether they fall into the bidding category so that they can be eligible for bond, what we did was put a range in. So, if somebody was bidding on something between say \$15,000 and \$30,000 or between \$200,000 and \$500,000 or between \$1 million and \$3 million or \$3 million and \$40 million, people know whether they're eligible for the bond.

I asked Alex Sciulli at the table, as you may recall, what was going on. Let's look at an example of Bill 500. \$500,000. It's bizarre. The other one went up to \$75,000. Instead of having the bill from \$2 million to \$6 million or \$3 million or \$6 million. We don't want to advertise how much we're giving away.

I was told, "Do you want me to change it now? I'll make it \$400,000 to \$700,000?" I said, "You've already advertised how much we have to give away. Changing it isn't going to do any good."

I then spoke to the woman in charge of promulgating these numbers in Planning. She's the budget person who said, "What I tried to do is figure out what it's going to cost."

That reminds me of the article that I distributed to all Members of Council about the Port Authority in New York City that had only three people bidding on a \$3 million section of the work for the Port Authority in New York, and two people were in the room to give the bids. This was in 1976. There was a gentleman who was Japanese in the room and the third bidder wasn't present. They said, "Oh, my God, we're going to lose this bid." So, instead of reaching in their right pocket, they reached in their left pocket

and they came out with a bid of \$2 million instead of \$3 million, and they found out later that the third bidder just hadn't gotten there yet. The job was done for \$1 million less than what they thought they were going to have to pay and it was estimated to be somewhere close to \$3 million.

This is outrageous that we advertise in neon lights, "Come and get us". I'm waiting to see that this premise is put back to the way it was working effectively and that is not advertising giving a broader range.

I would like a letter sent to that effect to Planning and to Alex Sciulli asking what progress they're making in changing it back to what this Council passed.

Mr. Ricciardi:

Mr. Wagner, I think Michelle Madoff has a very legitimate and real point here. I believe her range has saved the City of Pittsburgh millions of dollars, as stated by one of the Directors. I'm not even sure why we even need a range. Other authorities, such as the Pittsburgh Water and Sewer Authority, does not give a range and just goes out to bid.

So, I would like Michelle to continue to pursue this not only for the range but actually disregarding the range.

Michelle Madoff:

I agree with you, Mr. Ricciardi, but unfortunately I'm outnumbered by the people who actually put the contracts out, the Administration. They say that they have a constriction because there may be somebody who does work and can't go over say \$700,000 and they bill it, you get a bond. But people who can get multi-million dollar bonds fall in a different category and they didn't want to freeze anybody out.

Mr. Ricciardi:

But why is there the inconsistency because we shouldn't fool ourselves. The Administration controls the board on the Pittsburgh Water and Sewer Authority.

Michelle Madoff:

Because it's stupid, that's why. Plain, ordinary stupid and we want to give the money away. We have to stop it.

I'm going to abstain on all bills because I'm upset about it. I'm sending a message.

Also,

Bill No. 501

A Resolution entitled, "Resolution adopting Official Sewage Facilities Plan for the Baxendell South Side Project."

Which was read.

Also,

Bill No. 502

A Resolution entitled, "Resolution adopting Official Sewage Facilities Plan for the Rosemont Plan of Lots."

Which was read.

Also,

Bill No. 503

A Resolution entitled, "Resolution adopting Official Sewage Facilities Plan for the Frankstown Court."

Which was read.

The Chair:

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Mr. Milliones	Mr. Wagner

(Pres't)

AYES 8 NOES none

(MICHELLE MADOFF ABSTAINING)

And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

Mr. Ferlo:

Two brief requests. One is a motion to televise the public hearing on Thursday on the rezoning proposed in Bloomfield and the request of the residents.

Mr. Darkins seconded the motion.

WHICH MOTION PREVAILED.

Mr. Ferlo:

Secondly, I'd like to make a motion to

communicate to the President of Council to establish and set up a televised public hearing on the issue of school security. My specific request in requesting a public hearing is that we actually hear comments from the public on whether or not the School Board should establish metal detectors in the secondary and high schools, something that I very much am in favor of.

Let me just state this very briefly. I think in the last six months alone there hasn't been a week gone by without some incident in either the secondary schools or the high schools throughout the City. Sometimes it's been a stun gun, sometimes it's been a knife, and in several instances there have been guns brought into the school.

I'm perplexed, after talking to a number of school officials that seem to be supportive of the implementation of these devices -- I'm not talking about hand held devices where individual students are selected. I'm opposed to that. I think they're illegal and all kinds of problems associated with that system. But I do think the installation of metal detectors where everyone, including teachers, goes through there just the same as we would have to do if we went to the airport, is something that is certainly needed and warranted.

The reason I'm asking for a public hearing is that a number of citizens have called my office. There doesn't seem to be any response on the part of Dr. Wallace and the School Board on this issue. And I think rightfully so, Council should be an advocate and should be a forum for people, especially parents who do have children in the public school systems on this issue.

So, even though I'm stating my view in support of the need to install metal detectors, it would be about a \$100,000 expenditure by the School Board in roughly 32 schools, but I'm asking as part of the motion that we conduct a

televised public hearing on the issue of whether or not the School Board should implement and establish metal detectors in secondary and high schools. That's my request.

Michelle Madoff:

Second for discussion.

Mr. Milliones:

Mr. Wagner, I want to strongly oppose this Council getting involved in a formal way in School Board affairs. I think you would open up a Pandora's Box like you've never seen before.

Firstly, one with the knowledge of the school system, of Pittsburgh's school system compared to the large urban school districts across this country, Pittsburgh not withstanding the difficult problems their having, and I would agree that that is certainly an issue that needs to be addressed by the School Board.

But this district is very fortunate primarily for one reason and that is it's autonomy from City government. It is a separate taxing body. It was set up that way for the purpose of making it independent and de-politicizing it. Believe me, if you would see some of the other larger school districts across this country, they're not nearly in the shape that the Pittsburgh school district is.

I would suggest that given the problems that the district has, and I think the issue of whether or not to have metal detectors is something that's open for public debate. But it should be public debated at the School Board and not here at City Council.

If we get directly involved in a formal sense, and having a public hearing in these Chambers would be in formal sense, we will be having public hearings every week. I have received many calls, not only on the metal

detector issue but on a number of issues, and I strongly oppose, and I would certainly advise my peers to oppose this body getting involved in decisions that should be made by the school district. And I would certainly urge you to call School Board members and the Superintendent to express your concerns not to have a public hearing. We would have a public hearing, I can assure you, a week just because citizens were concerned.

If the School Board members are not doing their job or addressing these issues, I would suggest to the public that they deal with that at the next election. But the solution to the problems at the school district are not to have public hearings in City Council.

The Chair:

If I may interject, this could be highly debated here in Council. What if we were to ask for a report and recommendation from the School Board as to what their status is on this issue? I, for one, don't know that. And that may end up really what happens at the public hearing anyway.

I think we certainly want to know that, and certainly should know that, but we may be, no pun intended, jumping the gun by having a public hearing without knowing first hand what the intention of the Board is and the Superintendent.

Mr. Milliones:

As far as I'm concerned, Mr. President, that's irrelevant. I want to be very clear in terms of where I am coming from and that is that this body should not formally hold a public hearing which is the business of the school district.

Mr. Ferlo:

First of all, I sympathize with many of the

concerns that Dr. Milliones expresses but let me just clarify a couple of things.

First of all, on the issue of --

Mr. Milliones:

I don't want your sympathy; I want your good sense.

Mr. Ferlo:

Okay, I'll try to have some good sense here.

I'm not suggesting that the situation is as severe in our City as it is in Los Angeles or Detroit or a lot of other cities that Dr. Milliones could probably talk about better than I in terms of violence and school safety. But we do have a problem and it's very clear that there's a significant debate going on and I think Council needs to be informed on this issue because we're talking about the safety of our children, albeit the safety of our children within separate public school buildings as opposed to the general public.

I don't believe that having Council being that type of forum, because often times the School Board is not a forum; it does not televise its meetings. It frequently does not have public hearings where people can actually come out and really debate with the School Board the merits or the wisdom of a given policy. And I think it's legitimate at least for Council to deal with this issue.

In the four years that I have been here, other than at one time there was strong desire on the part of Council to engage in dialogue on the issue of the wage tax debate, I can't remember the last time, never in the four years that I've been here and I can't remember the last time Council necessarily started to meddle in the School

Board's affairs. So I'm not proposing that and I agree with the concern raised by Dr. Milliones.

But I do think this is a major issue. I think it's something that anyone has the right to debate, regardless of the fact that we are a separate legislative body, and I think we can contribute to that public debate.

Mr. Milliones:

Mr. President, the school district has mandated to have a place on their agenda for these items to be discussed every month. It's an open forum and all you have to do is call the School Board number and asked to be placed on the agenda. If people are concerned about this issue, why don't they call the school district and they, by law, are mandated to be put on the agenda.

Mr. Ferlo:

Just in quick response. First of all, a lot of people are doing that and it's falling on deaf ears.

Secondly, we have a decade-long experience with the School Board in this City. The School Board has always been a sacred cow in this City. The School Board, despite the fact that once in a while a reporter may attend a meeting, most people do not know what goes on at the School Board meetings.

In Council, at least, reporters are at bay. Our meetings are televised. When we speak they're waiting to run back to the papers and write stories about our utterances.

The fact of the matter is that we can be an advocate on this issue and we can help to see whether or not there is majority concern by parents and others regarding this issue of the metal detectors.

I think, really, the issue should be what is the merits of whether or not it's an important issue and not whether or not Council has any business discussing the issue. I don't feel I'm politicizing the issue by having Council respond and be a public forum to help continue this debate. That's not my intent.

Mr. O'Connor:

Jim, I would rather see us maybe meet with the School Board privately and discuss these issues because, just what you said, as soon as it comes up in Council, televised or not, the news media is here and what I hope is a small problem would hit the papers and again scare people away from the City and say, "I don't want to send my kid to that City school because of the big problem." Maybe it's big, maybe it isn't, but I don't think it's that big. I have a child in second grade and I just think, off the top of my head, if I had to send him through that I would question whether I wanted to send him to City school. And I think by publicizing this we would create more problems, although it has merit and I think we can talk to the School Board. The School Board should not be a sacred cow; I agree with you there. They should talk with us but I don't think we should get into that publicly.

Mr. Onorato:

I agree with Councilman Milliones that this is strictly a School Board issue. However, Councilman Ferlo brings up a good point that when we discuss something the citizens of Pittsburgh generally understand it or hear it on Council opposed the issues in front of the School Board.

I would recommend if the concern is letting the people know what the School Board's position is and getting our point across to them, that every one of these Councilmembers being a citizen of Pittsburgh and being a part of a district

in the School Board, petition and show up at these meetings at the School Board and state our concerns that their forum, their public forum.

I do agree that they are a political body. We addressed that at the polls and it is our duty to make sure that they hear the concerns, and I for one would definitely show up in front of them at a public hearing and express my views and hear their concerns.

Michelle Madoff:

I'm not so sure that the process works that way. I haven't testified before the School Board in a very long time. I think it was back to my environmental days. But it seems to me you're allotted a few minutes, there's no interaction, they say, "Thank you for speaking." and if you're lucky, if you're on Council, you'll get a nice letter.

But there is a separation here that needs to be considered and I think that as opposed to us against them or them against us or maintaining our independence, why don't we make an effort, through the President of Council, to contact the appropriate person on the School Board and ask whether they would be interested in holding a joint hearing with us, so it becomes a joint effort and we're not usurping their authority, and see what kind of reaction they have. They may say forget it and give us some very good reasons.

On the other hand, if they say they don't wish to discuss it and they don't think it's a big problem, we can decide amongst ourselves whether we want to ward off a bigger problem from happening, whether it is worth discussing.

I remember in the environmental days, Mr. Onorato, that I was told not to talk about how bad the air was. It was better dead than scared. I'm not kidding. That was a line that I used when Tom Foerster was not told, he wasn't informed, that the monitors in the schools were not being

read when the air pollution levels were at outrageous levels and people shouldn't go outside because they didn't want to upset them and they didn't even have entry to read the monitors.

I don't think that the issue of scaring people away is more serious than the issue of is a kid going to get stabbed.

Mr. Milliones:

Don't smog the issue, Michelle.

Michelle Madoff:

I'm not smogging the issue. I'm saying that we ought to find out if they would join us in a joint effort because it's not their problem or our problem; it's a joint problem.

Mr. Cohen:

Mr. President, I would oppose any kind of formal action on the part of Council with respect to the School Board or the School Board system.

I think that we're treading into dangerous waters here. I think all of us have been involved in some ways with school matters, maybe schools within our districts, for example. I have worked with people, for example, to try to make sure that we keep open the Woolslair School and some other involvement.

But I absolutely agree that we can't have any formal action between this City Council and the School Board. One of the reasons, from everything that I've heard, that there is competence in the school district is because it is de-politicized. It is becoming more politicized, but it has been traditionally. And I think that any formal City Council action would not be wise. I think that we can do it informally, each an every

one of us.

The Chair:

I'm not going to vote for this also, but my reasoning is that I have appeared in front of the School Board numerous times. As a matter of fact, Councilman Milliones was on the Board a couple of times when I appeared in front of it.

Quite frankly, I think if there's a need for a hearing, they should be having the hearing, not City Council. And I have not heard anyone say that they have refused having a hearing on the issue.

So, I really think the responsibility should go back to them and not to this body because that body is really the body that determines what happens.

Mr. Ferlo:

Relay the comments made and I still do believe that Council has the right and that this is the forum to debate this issue.

In response to Mr. O'Connor, the fact of the matter is that each day there's articles in the paper about school security and each day that the School Board fails to act decisively on the issue — We can run but we can't hide from the problems and the realities and the perception out there about school safety. That's there whether we like it or not.

I think what's hurting the district more in the sense of perception of the quality of the education system is this issue that the School Board has not been decisive on this issue of school security. And that's not going to help the perception of whether or not we do have confidence in the school district, as Mr. Cohen talks about.

Recognizing the concerns expressed by the majority of Councilmembers and I recognize that the majority here is not likely to support the motion that I have originally made, I would respectfully alter the motion that we communicate to the School Board and ask them to conduct a hearing before the Board on this issue.

Michelle Madoff:

Before I withdraw my second, I would like to point out that in other cities across the country, and one in particular that we hope to emulate, our office is going to introduce a proposal, the issue of children and schools is directly tied into the drug problems, tied into other problems that exist in cities. And while they too have autonomous bodies, they have to work together because they're common problems. I don't see why we cannot at least make some effort to communicate with them and see -- I agree, at least take that first step, Jack, and then see where we go.

I take my second back.

The Chair:

Procedurally, you have taken your second back and you have a new motion on the floor requesting that they have a public hearing on the issue.

Mr. Ferlo:

My new motion, recognizing that the first motion does not have majority support, is that we communicate to the School Board President our concern and desire to have the Board conduct a formal public hearing before its body on this issue of school security and metal detector devices.

Michelle Madoff seconded the motion.

WHICH MOTION PREVAILED.

Mr. O'Connor:

I have two issues. Real quick, I'd like to support Jim Roddey and United Way. They're withholding their fees for the national. But in my support, I would like to encourage local people to keep supporting United Way because 90 cents out of a dollar stays in Pittsburgh and I'm afraid people may overreact because of the actions of a few on the national level that should not hurt our local people. And, like I said, 90 cents out of a dollar goes right to the needy here in our City.

I just found out that Councilman Cohen is on the Board and maybe he might want to elaborate.

Mr. Cohen:

I'd be happy to, Mr. O'Connor. Yesterday there was a board meeting at the United Way. Let me say first that I don't think this is an issue that the City should be taking action on, of course, but I'd be happy to report on it. The United Way, of course, is not a government agency.

The sentiment that was expressed to Mr. Roddey at the board meeting was a strong sentiment that the local United Way not provide any funding for the national United Way until they make what needs to be systemic changes, really major structural changes, to restore confidence in the locals and in the thousands and thousands of contributors that the United Way has.

One of the things that they provided at that meeting was a report. This is an internal investigation that was done and, frankly, I was appalled at what I read about the President of the United Way, Mr. Eremony. Just to give you a

couple of examples from the report, and again, this was done by the United Way, an internal investigation, but it says that from 1988 through 1991, \$92,000 was spent for limosine services for Mr. Eremony. That from 1988 to 1990, \$37,000 was spend on 29 trips to Las Vegas, not for business purposes. That \$72,000 was spent on international airfare to Norway, Turkey, Germany, Russia and other countries. And \$40,000 was spent on the Concorde.

This man is the head of a charity, one of the biggest charities in the country, and this is a greedy and unethical practice, and I think the whole board was appalled by that. I'm convinced that the local did not know about this. I think Mr. Roddey is doing a very good job and what the local board is going to do is withhold any monies until the national board gets its act back together.

Michelle Madoff:

May I ask my colleague a question? From your own personal knowledge, do you know if the United Way has ever given any money to any environmental issue groups?

Mr. Cohen:

I don't know that.

Michelle Madoff:

I have never given a dime. I do not give five cents to the United Way because way back in '69, '70, '71 and '72 we approached them to give us some money for the environmental issues.

I also know that the Heart Fund and the Cancer Society --

I'm just making my comment. I'm entitled to make a comment. This is still America. It's still a democracy.

What happened is that I went out and raised \$10,000 personally for the Heart Fund. I think that there has not been a cooperative effort during some of these major fund-raising groups.

I am not happy with the United Way and it may be that the policy was --

The Chair:

That is not the issue, Councilwoman Madoff.

Michelle Madoff:

The issue may have been set as a policy on the national level.

The Chair:

It is not the issue.

Michelle Madoff:

If one of the men said it, it would be the issue.

Mr. O'Connor:

I support United Way and I think the things they do, Meals On Wheels, support most of the poor of our City.

I'd like to make a motion in front of Council that we support the local United Way and we continue to support the local people in Pittsburgh and Allegheny County.

The Chair:

In the form of a letter?

Mr. O'Connor:

Yes. Just a motion.

Mr. Milliones seconded the motion.

The Chair:

Just let me add one comment. I'm on the board also of United Way. The United Way is one of the best organizations that was ever formed in this City. It helps the blind, it helps cerebral palsy. I can go on and on with a list as long as our arm.

This organization in the City of Pittsburgh has their act together. They're not sending money to the national organization now. They are not funding the irresponsible management of dollars that we have read about in the newspapers. So they are doing the right thing in Pittsburgh and it is the right thing to do, and I compliment my colleague for bringing it up to make sure that Pittsburghers continue to support the Pittsburgh United Way organization. It's a worthwhile organization.

Michelle Madoff:

Jack, there's some of us who like to give directly to the charity we want to support.

Mr. Ferlo:

Mr. Chairman, that's the issue of the Donor Option Program which finally did become a policy of United Way. So there are any number of non-profit organizations that any citizens who chooses to contribute to a specific organization because of a specific charitable need at that group meets, they can still make the United Way contribution specifically listing the agency they want that money to go to under the Donor Option Program. So, I just wanted to concur that the United Way is a very, very important organization for the City.

The Chair:

All those in favor of the motion? Opposed?

Michelle Madoff:

Abstain.

WHICH MOTION PREVAILED.

Mr. O'Connor:

I had one very serious incident happen in my neighborhood in Hays yesterday and I just got all the details this morning. I know Mr. Ferlo brought this up about a month ago concerning EMS, our ambulance service going out of the City to other hospitals. I can see, especially in Lawrenceville where somebody may want to go out to Monroeville.

But yesterday's incident happened where a 74 year old man fell down the steps on his granddaughter. They were both laying there. The granddaughter had a broken leg. Our paramedics responded within 20 minutes. They took care of the problem but the 74 year old man, his doctor and all his records are at Jefferson. Jefferson is the closest hospital. Our paramedics had to get the okay from Mr. Kennedy. One phone call and Mr. Kennedy wasn't available. No one else could give them the okay, while these two people were laying there. Within 40 minutes, they had to call a private ambulance to come and pick them up and take them to Jefferson Hospital.

Since you brought it up, Jim, we've had some calls in my office and as of two weeks ago I was told that the policy was the paramedic at the scene would make the decision. Now, we trust these paramedics who do an outstanding job to make lifesaving decisions on their own, but yet we will not let them make a decision on which hospital to go to.

In a form of a motion, I would like Mr. Perry to write a letter, and I think we need an answer by tomorrow so this doesn't happen again to any of our neighborhoods, especially the surrounding areas like Lincoln Place, Hays, where a suburban hospital may be closer. God forbid, the worst thing that could happen would be that the paramedic would make the wrong decision and go to the wrong hospital. They can always be charged, and these people were willing to pay for the ambulance ride, which they're going to have to pay a private person anyhow. That was not the issue.

The issue I'm concerned about is who is going to make that decision when it comes. I feel it should be made right on the scene by the paramedic.

The Chair:

So, you're asking that a letter be sent asking for a clear interpretation of the management procedure by which decisions are made?

Mr. O'Connor:

I have been verbally told, and that was not followed yesterday, and I think we need it in writing.

Mr. Onorato:

I will second it but I want to make a comment.

Councilman O'Connor has a good point. I was also informed and I have a different answer. I was informed that we will go to hospitals that are right on the edge of the City line, and they actually had a list of those hospitals. For example, Bellview Suburban and I think Forbes in Wilkinsburg. I was under the understanding

that they actually picked certain hospitals that they could go to and there were no more or no less at that point.

So, I think it has to be cleared and I will second the request.

Mr. O'Connor:

Have you seen that in writing?

Mr. Onorato:

No. It was verbal.

Michelle Madoff:

On the same subject. I support your issue because I've had the same calls in my office from people in my district having the same problem.

What we need is a clearly defined, written policy that says if you live on the borderline of the City and a hospital of your choice is closer, if you have a doctor that is used to dealing with you and helping you, you can go, providing it is not 100 miles away. There has to be some reasonable parameters. I think we ought to set up some reasonable parameters and not just say we'll leave it with the discretion of whoever is on duty as a paramedic that day. They should have a list of where they can go and if they live in that area, as long as it's within 25 miles or 10 miles or whatever, on the borders within certain areas they should have the right to go to that hospital.

The Chair:

All those in favor of the motion?
Opposed?

WHICH MOTION PREVAILED.

Mr. Ricciardi:

One other issue, Mr. President, but first I'd like to thank Mr. O'Connor for bringing that up because I've also had discussions with Chief Kennedy.

In today's paper, the Pittsburgh Press, there appears an article written by Dan Donovan, and I believe our worst fears have come true, and that is that drug cases have been dropped by City Magistrates and could not be pursued because the evidence was not processed. Two drug cases were dropped in City Court yesterday and others were dropped Friday.

I'm pleased in the article that finally, since we found out about the closing of the Crime Lab since November of '91, that the Administration has decided to start beginning to bring some of their cases to the Greensburg Lab. Eighty cases, according to Chief DeRoy will be sent up; 35 suspected drug samples and 45 rape kits.

I'd like to bring to the attention of all of you here that we did pass a bill that was enacted on March 10th saying that high priority cases should be sent over to the Crime Lab here in Allegheny County, and the Commissioners have agreed that we will be reimbursed once the State funding starts.

I would like to say that Mayor Masloff did not sign this bill, however, which means that she did not veto it but that she does not support it.

We've been playing this blame game a long time; the City blaming the County, the County blaming the State, the State saying they're not mandated to perform the services.

I think our bill addressed a short term solution and that is high priority cases should not wait in line in the Greensburg Lab. I again spoke to the Greensburg Lab early this morning and

they have said that these cases will wait a long time, possibly months, before they are processed. Forty-five rape kits. Without going into detail, we know what that means.

I'm saying that I'm going to play the blame game here for a second and I'm placing full responsibility on Mayor Masloff that, number one, that these cases were dropped in City Court and, number two, that our rape kits will have to wait in line in Greensburg while we have a bill that was passed by the City Council here, 9-0, that there is an amendment by Mr. Onorato and accepted by the Allegheny County Commissioners saying that we will be reimbursed.

I think it is a sad day in the City of Pittsburgh. I think they are hampering Police work. It's an Administrative nightmare. We have a short term solution but we should be honest to victims of the City of Pittsburgh and to taxpayers that because of a personality conflict in the Mayor's Office no communication has occurred between them and no communication will occur.

It's a sad day that we can't swallow our egos and put personalities aside and worry about the victims and the possible other victims and taxpayers here in the City of Pittsburgh.

Mr. Onorato:

Mr. President, I agree in part with Mr. Ricciardi. The bill is in place and the power the Mayor has to send important cases to the Crime Lab and to pay for it on a temporary basis.

But when it comes to the blame issue, I stated before and I'll state it again, this is a County function, it's a State function and I'm going to hold both of those institutions responsible. If it was up to me, I would send every piece of evidence I had to Greensburg. I would flood it. I would clog the system so they couldn't do

anything in that lab and force the State to put a new lab here in Allegheny County.

Mr. Ricciardi:

In closing, I sympathize with Mr. Onorato's points but I think we should make it clear that Mary Conturo wrote us a statement, a position and, after researching, it is not mandated by the County or State functions to provide these services. Traditionally, it has been provided by Allegheny County and I think traditionally it should continue and the Commissioners are looking into possible funding.

But what I'm saying here is, as Councilmembers, not getting beyond our responsibilities to the County or to the State but as Councilmembers, we have a responsibility to the day to day operation here in the City of Pittsburgh, Mr. Wagner, and the day to day operation in the City of Pittsburgh concerning police work has been hampered because the Administration will not make a phone call to the Allegheny County Commissioners who have agreed to process our evidence for a fee and we will be reimbursed once those two pieces of legislation pass the State.

Michelle Madoff:

Members of Council, this gets back to the old issue. What are we doing in Harrisburg? What are our Legislators doing for us? We need to get some funding. I mean, the Commissioners aren't saying, "We don't want to provide the service." Even Sophie Masloff isn't saying, "We don't want to provide the service." The money which should be coming to us, which we don't get the same kinds of funds that Philadelphia and other places get, why aren't our Legislators bringing home the bacon? That's why I want you to support my full-time lobbyist. This is another example. That's why I'm delighted we held the bill.

Michelle Madoff moved to approve the Minutes of Tuesday, March 17, 1992.

Mr. Ricciardi seconded the motion.

Which motion prevailed.

And on the motion of **Michelle Madoff**

Council adjourned.

MUNICIPAL RECORD

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No. 15

Municipal Record

ONE-HUNDRED TWENTY-SEVENTH COUNCIL

JACK WAGNER President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER.... Asst. City Clerk

Pittsburgh, PA
Tuesday, April 14, 1992

PRESENT:

MR. COHEN	MR. O'CONNOR
MR. DARKINS	MR. ONORATO
MR. FERLO	MR. RICCIARDI
MICHELLE MADOFF	MR. WAGNER
MR. MILLIONES	(Pres't)

The Meeting was opened by the recitation of the Pledge of Allegiance to the Flag of the United States of America, and a moment of silent prayer for peace throughout the world.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

The Chair:

I would like to make a brief welcome to Mr. and Mrs. Peter Burnett from England, the town of Crue where the Rolls Royce cars are manufactured. Mr. Burnett is a counselor of the Borough of Crue, and Nanwich, and represents the ward of Haslington. He brings the greetings from the Mayor and the Counselors to the City of Pittsburgh. This is Mr. Burnett's first visit to the United States and would welcome the visit of any Member of Council or resident of the City of Pittsburgh to Crue.

Mr. and Mrs. Burnett, we welcome you to the City of Pittsburgh. Please stand so that we know where you are. Thank you for being here.

Mr. Cohen presents

Mr. President, I think it's appropriate that we honor our two visitors from England with respect to this resolution because this is an international resolution.

I'd like to ask Mr. Richard Howe and Virginia Fisher to come up.

Mr. Cohen presents

No. 700 WHEREAS, Pittsburgh will host the 24th International Chemistry Olympiad for high school students from around the world July 11-17, 1992; and

WHEREAS, the International Chemistry Olympiad, sponsored by the American Chemical Society, aims at identifying the best high school chemistry students in the world through a four member team competition that consists of challenging written and laboratory testing in all areas of chemistry; and

WHEREAS, the 24th International Chemistry Olympiad will take place at the University of Pittsburgh and will involve over 400 people, including students from over 35 countries in Europe, Asia, Australia, and North and South America, as well as local and national organizing committee members and local bilingual students who serve as companions to visiting foreign students.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh commends the ACS Chemical Education Group for their efforts to bring the International Chemistry Olympiad to Pittsburgh and wishes area high school students the best of luck in the local competition, to be held on April 29, 1992 at the University of Pittsburgh.

Mr. Cohen moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Cohen:

Mr. Chairman and Members of Council, we often hear about how our students are not doing as well as some other industrialized countries in education and certainly in the hard sciences, and I think this is one example of our students getting up there and competing with students from all around the world in the hard sciences, including the science being chemistry.

I was a little bit hesitant to introduce this resolution at first because I thought maybe you'd look back into my record and see how well I did in chemistry. I was worried about that. My sophomore chemistry teacher, Dr. Winklebauer, would certainly let you know that I didn't do very well there. That's why I went in for the humanities.

But I'm glad that you are having this Chemistry Olympiad and I think it's terrific that the City of Pittsburgh is going to be the place for it to happen. I think it will promote Pittsburgh but it will also promote chemistry.

We have here today to my left, Virginia Fisher, who is the Honorary Chairperson of the International Chemistry Olympiad, and Mr. Richard Howe, who is the Chairman of the local organizing committee for the International Chemistry Olympics. Thank you for coming.

Ms. Fisher:

Thank you for this honor and for the proclamation.

I just want to add a few things; I think most has been said. The Pittsburgh Chemistry Olympiad was started 13 years ago with 10 schools, 40 students. This year we have 60 schools and 350 students, April 29th at the University of Pittsburgh.

The International Olympiad Study Camp was started in 1985 at the Airforce Academy. At that time, the students were picked to attend the International Olympiad. We had a winner and an attendee went to Germany in 1985, Seth Brown from Pittsburgh, who won the first silver medal.

The International Chemistry Olympiad was started, really, in the three countries in Europe; Czechoslovakia, Hungary and Poland were the three ones. By 1974, the Eastern Blok of

Europe had joined. And now, in 1992, we have 32 countries coming to Pittsburgh July 11th.

The budget, the reason Pittsburgh was selected. I heard about it and I immediately contacted about 28 educators and civic leaders to help them invite the International to Pittsburgh, this 24th International Olympiad. The other cities vying for this were Boston, Cleveland, Philadelphia and Chicago. Pittsburgh won strictly because we're an international City with the University of Pittsburgh as the center of this group.

Pittsburgh has 25,000 research scientists working here. We have a large number of technical workers. The Pittsburgh American Chemical Society has 2,000 active members. Our education group of teachers, which is largely teachers, has 90 active members. The Pittsburgh Conference, which is the largest international conference in the world, had 38,000 in attendance at New Orleans in March. They are another reason why Pittsburgh was selected. They contribute with their budget of \$1 million to scientific activities in the Pittsburgh area. Some of them, of course a few, go outside of Pittsburgh, but most of it is here.

The International Olympiad budget is \$750,000 and a large amount of that has been contributed through the Pittsburgh organization.

Already mentioned, the international visitors arrive July 11th. The opening ceremonies are July 12th. Every visitor, which will be over 200 of them, will receive a large canvas bag filled with mementos from the Pittsburgh area. The students have their lab tests on Thursday, but the written test is on Tuesday. They stay in Pittsburgh 7 days and depart for Washington for the International Awards.

The sponsors of this will stay at Carnegie Mellon University. The mentors from the

international group.

This International Olympiad is truly a spectacle of brain power and not brawn. The aim is to produce chemistry and sponsor throughout the high school group. And I hope by this International Olympiad the Pittsburgh community will become aware of the chemistry and how important it is in every day life. It is truly an international momentum for people to become correlated together.

Thank you for the proclamation.

Mr. Howe:

Thank you, Mr. Cohen, Mr. President, ladies and gentlemen of Council. It's a true honor to stand here on behalf of the Organizing Committee for this event.

Ms. Fisher was a bit humble. She's really the reason that this event is going to be in Pittsburgh.

Michelle Madoff:

It takes a woman.

Mr. Howe:

So noted. But, at the same time, it took a large group of volunteers from every walk of the Pittsburgh community to pull together to make this happen. In fact, after we were awarded this host city designation, I was informed that it was known from the beginning where this event was going to be, Washington, D.C. And the people of Pittsburgh, the technical societies, the universities, the high school teachers, as represented by Ms. Fisher, the civic organizations, the private industry, and many merchants of Pittsburgh, banded together and we put together a proposal that Washington, D.C. could not compete with. Therefore, the

competition will be here in this Country's most liveable city, and we thank you for being part of that.

The Chair:

Thank you.

Mr. Darkins:

I would ask that Dorian Johnson and his parents and Dr. Eldridge would come forward, please.

Mr. Darkins presents

No. 701 WHEREAS, Dorian A. Johnson, a senior at Shadyside Academy, has the distinct honor to be among three local minority high school students to receive the National Merit Scholarship Competition Achievement Scholarship Award; and

WHEREAS, Dorian A. Johnson entered Shadyside Academy four years ago and has continued to maintain a respected 3.80 average in academic preparatory studies; and

WHEREAS, for three years Dorian served as Student Council Representative and in 1992 his peers elected him Student Council President; and

WHEREAS, because of his mature attitude, Shadyside Academy chose Dorian to be Perfect Peer Counselor - an individual who has the ability to encourage positive results in others; and

WHEREAS, in 1991 Dorian received the Gargoyle Award for his commitment to acting, and in 1990 the faculty awarded him their prestigious Stephen Shenkan Memorial Award for leadership, courage and motivation; and

WHEREAS, Dorian is a member of Shadyside Academy's Concert Choir, Core Choir, Mens Accappella Group, Theatre Production Cast, a voting member of the Admission Committee, and a scribe in the Writing Center; and

WHEREAS, in September 1992, Dorian A. Johnson will use his Scholarship Award to begin Pre-Medicine studies at Brown University.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh congratulates Dorian A. Johnson for his determination and desire to further his stance in life.

Mr. Darkins moved to adopt the resolution.

Michelle Madoff seconded the motion.

Which motion prevailed.

Mr. Darkins:

I'm going to ask Dorian to come forward. I'm also going to ask that if his mother so desires she would have something to say. And I'd also like Dr. Sarah Eldridge, the head of the senior school at Shadyside Academy to say a few words.

Mr. Johnson:

Mr. President, Councilman Darkins, City Councilmembers, I would like to thank Councilman Darkins and the rest of City Council for bestowing this prestigious honor upon me.

Three of the people here are a few of the many people who have supported me in all my endeavors through high school and who will continue to support me in all my endeavors in life.

I'm very nervous here because of the

prestige of this award. But I would again like to assure you that I will continue to strive for excellence in academics and in all things that I do. Thank you again.

Mrs. Johnson:

I just want to say that I thank you all for taking time out of your busy schedule to honor my son like this. Thank you.

Dr. Eldridge:

Dorian brings honor to himself, to his family, and to his school, Shadyside Academy.

Dorian is involved in every aspect of school life. It was the most wonderful invitation to be asked to come with him today, and the most natural because we confer all the time.

His generosity of spirit and his leadership and especially his quality of mind and heart, which I think is tied into his spine in some wonderful way, teaches above all, teaches all of us more about what it is to be human. I thank him for doing so well by all of us. Thank you.

Mr. Darkins:

We would ask that Father Reginald DeFour come forward from Duquesne University.

Mr. Darkins presents

No. 702 WHEREAS, Duquesne University rises to the challenge that America have a productive work force for the year 2000; and

WHEREAS, April, 1992 will mark the University's first Computer Awareness Month at shopping malls throughout Allegheny County, with volunteers and staff encouraging

acceptance of the computer through hands on experience and information to enhance knowledge of the computer ability; and

WHEREAS, from July 5 through July 28, 1992, the University will commemorate its second Multicultural Computer Camp when youth ages 10-16 will have the opportunity to spend 10 days on campus for the purpose of developing and increasing their computer skills.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh salutes Duquesne University for its commitment to make available the opportunity for residents of the City of Pittsburgh to be prepared with the skills and knowledge needed to survive in the forthcoming years; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh expresses appreciation to the Catholic Diocese, H.J. Heinz Company, Miles Incorporation, Allegheny Foundation, Duquesne Light Company, Pittsburgh Computer Store, Radio Shack and Camp Founder and Director Father Reginald DeFour for making computer awareness possible.

Mr. Darkins moved to adopt the resolution.

Michelle Madoff seconded the motion.

Which motion prevailed.

Father DeFour:

Thank you very much, Mr. President, Councilman Darkins and other Councilmen.

I would just like to take this opportunity to thank you very much in the name of Duquesne University and in the name of our Computer Camp that we are having for this resolution. This stamp of approval from the City is one that we

cherish very much and it's a great honor that we are very happy to have.

We are just trying to encourage high school students to come to Duquesne, to live on campus for ten days, to learn quite a lot about computers, really the science of today and particularly of tomorrow. Apart from that, they will be enjoying the many sporting facilities that are available at Duquesne. We also give them some training in a lot of the cultural activities. The night of the graduation there will be a concert.

So, they receive during those ten days an overall training, not only in computers but in living together in the multi-cultural environment.

I would like once again to thank you for this opportunity to come here and I hope and pray that we will live up to the high expectations of having a very successful camp in 1992. Thank you very much.

Mr. Darkins presents

No. 703 WHEREAS, April 6-11, 1992 is Pittsburgh Association of Real Estate Brokers, Incorporated Week in the City of Pittsburgh; and

WHEREAS, the Pittsburgh Association of Real Estate Brokers, Incorporated is an affiliated, but autonomous Chapter of the National Association of Real Estate Brokers, Incorporated; and

WHEREAS, the Pittsburgh Association of Real Estate Brokers was founded in 1947, and is the oldest and largest minority trade association in America with its membership consisting primarily of African Americans and other minorities; and

WHEREAS, the Pittsburgh Association of Real Estate Brokers, Incorporated, was formed

to promote professional activities for its members and the general public and to achieve the ideals of the realists mandate, "Investing in real estate - rebuilding and reclaiming our neighborhoods."; and

WHEREAS, the Association has planned a series of workshops and seminars during the week of April 6th-11th at Reality World Spearman Real Estate Office and Community College of Allegheny County - Homewood Branch, which are designed to stimulate public interest to educate and encourage the ownership and improvement of real estate along with the formation of investment groups.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh commends Pittsburgh Chapter President Gloria Spearman and its Board of Directors for their dedication to improve the standards of real estate trade and enlighten those interested with the tools needed to further their position in the real estate market.

Mr. Darkins moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. Ferlo:

I'd like some of the community leaders to come forward who are here this morning.

Mr. Ricciardi:

Mr. Ferlo, I'd just like to point out that most of these residents are also leaders and officers of many community groups representing across the board in the City of Pittsburgh.

Mr. Ferlo:

Thank you, Mr. Ricciardi.

I'd like to move the following resolution but before I do that I just want to amplify a little bit with Councilman Ricciardi and Councilman Darkins' support who asked me to co-sponsor this proclamation, that time does not allow this morning, and this is not meant to be a demonstration and it's not meant to be a public hearing.

Obviously, all the community leaders that are here from all points north, south, east and west throughout the 55 square miles of the City of Pittsburgh, are people that have worked very hard in their community to improve the quality of life. And part of that effort has been the effort to appear in Housing Court in all too often occasions, and I think many people are here this morning to obviously express their shock, their alarm, their concern and, in fact, their support for the reinstatement of Judge Miskovich.

Out of respect for the President and for the process here, I would ideally like to call everybody up to make a brief statement, but when I read this resolution, assuming it is supported, out of the respect for the process here this morning I would ask just a couple of people come forward and sort of summarize the concerns of all the people here today.

Without further ado, I'd like to move the following resolution. Judge Miskovich is in a court hearing herself this morning but if she is able to be here before the close of this, I'm sure she'll have a few words.

Mr. Ferlo, Mr. Ricciardi and Mr. Darkins present

No. 704 WHEREAS, Deborah S. Miskovich is a life-long resident of the City of

Pittsburgh; and

WHEREAS, in 1980, Deborah S. Miskovich received a Juris Doctorate from the Duquesne University School of Law; and

WHEREAS, Deborah S. Miskovich has held Associate positions with the firms of Emerson G. Hess and Associates, and Hess, Reich during the period of 1980 and 1990; and

WHEREAS, Deborah S. Miskovich served as an Assistant City Solicitor in the City's Law Department from 1982 to 1987; and

WHEREAS, on October 27, 1987, the late Mayor Richard S. Caliguiri appointed Deborah S. Miskovich to the position of Chairperson of the Zoning Board of Adjustment and served in that position until June 1, 1990; and

WHEREAS, Deborah S. Miskovich was appointed by the Honorable Mayor Sophie Masloff to the long vacant bench of the City Housing Court in 1990; and

WHEREAS, during her tenure as Chair of the Zoning Board of Adjustment, and as Housing Court Magistrate, Deborah S. Miskovich established a reputation for fairness and responsiveness to the concerns of community groups; and

WHEREAS, Judge Miskovich created, for the first time, true courtroom demeanor in Housing Court, and has boldly enforced the Pittsburgh Code through thousands of decisions she has rendered; and

WHEREAS, Judge Miskovich went beyond the call of duty when she adopted the motto "Have Gavel Will Travel" and instituted the innovative "Site Court" in which Housing Court hearings were held at the site of blighted properties and property owners were met by

community residents as well as the Court to address code violations; and

WHEREAS, Mayor Masloff has terminated Judge Miskovich without just cause in an arbitrary and capricious manner.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh requests Mayor Masloff to re-instate Judge Miskovich as Housing Court Magistrate so that she may continue her exemplary performance.

Mr. Ferlo moved to adopt the resolution.

Mr. Ricciardi seconded the motion.

Mr. Milliones:

Opposed.

Michelle Madoff:

Mr. President, I think we need to discuss this.

I agree in principle with everything that Mr. Ferlo has said. As a matter of fact, Deborah worked with me personally on my bill on blighted property. I think she's a rare jewel and a fabulous find. But I think what we don't want to do is in any way take the right of any Mayor, whether you like the Mayor or don't, or any Mayor to come, by saying, "You must do something." That worries me.

Personally, I would have preferred that we took out the second to last paragraph because I think the appropriate thing to do is a month from now, if Ms. Miskovich wasn't reappointed, we would all hold a press conference and really pounce on the issue of letting somebody terrific go, but not tying it, at this point, that we're calling the shots. I have very great concerns about that.

I don't think we helped Deborah; I think we hurt. Deborah is one of my close personal friends. She may not agree with what I'm saying but I believe that the second to last paragraph should be removed. I agree with everything except the second to last paragraph.

There's no question in my mind that, again, Deborah is the best thing that has happened to the City in a very long time. It would be a tremendous loss to all of us if she's not reappointed.

But I would respectfully ask that the second to last paragraph be stricken, with the understanding that if Deborah isn't appointed within a reasonable time - my understanding was that she would be appointed - say within a month, that we hold a press conference, not just a resolution, and we put the blame squarely where it belongs but not tie it to other appointments or we're going to have the showing of saying to people, "We the people are telling you what to do." That is my concern.

Mr. Ferlo:

In response, Mr. President. First of all, we're not tying this issue to any other appointments. Period. Judge Miskovich has served honorably and, more importantly as far as I'm concerned, Jim Ferlo, she has been the best Housing Court Magistrate this City has ever had. And we need her badly.

This appointment was made by Mayor Masloff herself. When the Mayor appointed her, I believe my specific comments at the table were the following: that this is the best appointment the Mayor has ever made.

She was very clearly fired and terminated in an arbitrary and capricious manner. Cold and callous, quite frankly, when you have an

underling, not even the Mayor herself, say to the Judge without any due process or commentary that because of a log jam in Council you are terminated.

This is about the business of Council, as a matter of public policy, are re-inforcing the fact that we deeply appreciate the effectiveness of Judge Miskovich. So, it's not a question of drawing a line in the sand. We're saying very clearly here that we respect the contribution that Judge Miskovich has made and we very much would like to see her continue her exemplary performance.

That's the intent of the resolution today. We would appreciate the Mayor considering the fact that she has terminated her effective last week, that the Mayor listen to the concerns and the cries of community leaders and others throughout the City who would very much like to see Judge Miskovich reinstated. That whole issue is independent and separate from the fact that two very well qualified people, two of whom I support, have also been nominated to the bench.

Mr. Darkins:

Mr. President, I just think that it should be well understood today, and I understand that Mayor Sophie Masloff is our Chief Executive of this City and she has these powers and she has the authority to appoint or to remove whomever she wants to. I know that when Deborah Miskovich was presented to us in City Council, I was for her then and I'm for her not. I'm not objective to anything that the Mayor is doing because, as I said, she is the Executive of this City.

I'm very appreciative for the work that Deborah Miskovich has done in Housing Court. We haven't had anyone in history in the City of Pittsburgh that has been as conscientious and concerned about our Housing Court. She has done a tremendous job.

As far as Michelle speaking about the language that is in the last two phrases here of this particular resolution, we're not here to accuse the Mayor. We're not here to bring condemnation because she is the Executive Mayor.

My stand is, I join this resolution because of Deborah Miskovich and she has done a fine job and I really would like to see her reappointed.

Mr. Ricciardi:

I have an opposite view of some of my respected colleagues here this morning. I believe it's a grave responsibility, not just an honor, to appoint City Magistrates to our City Court system. In that, in the past we have appointed and Mayor Masloff did nominate and City Council did confirm her appointment. It was a very troubling incident when she was just released without an explanation. What I mean by that, Mr. Ferlo, Mr. Wagner, colleagues and community group leaders, is that we have to make sure, or we have to ensure the City of Pittsburgh residents that we do have an independent judiciary here in the City Court system. That is of prime importance and that is what is very important in this process that we're talking about now.

I just question if we do have an independent judiciary. Of course, there were some rumors out of the Mayor's Office and some accusations concerning Deborah Miskovich. Calls were made into Harrisburg concerning her gavel in the neighborhoods, and they were proved to be false.

So, what I'm saying here to my colleagues is that we did have a nomination in Deborah Miskovich and was approved, and this really deserves to have a full explanation of why the person was not reappointed.

I support the resolution 100 percent. I

personally would like to have an explanation from Mayor Masloff on why she is not being reappointed. I doubt if there is a solid, credible explanation. We have appointed her in the past and I think she should continue to serve. I think all of us have an example, especially in the South Side area including Allentown, examples that she has cleared up, incidents that have been on the books for nearly ten years because she took a personal interest, a very personal interest, in many cases.

So, I would hope that we would pass this resolution today and I would hope that Mayor Masloff would work with City Council and we could get on with the business with City Court.

Mr. Cohen:

I see this resolution as a resolution of praise for Deborah Miskovich, for her performance as Housing Court Magistrate. And I think that anybody who is familiar with her record as Housing Court Magistrate has to agree that she did a terrific job.

All of us are working day to day to try to preserve our neighborhoods, to try to maintain our buildings and try to enforce our Building Code. The people who are standing right here in front of me are really working in the trenches every day in that battle, and Deborah Miskovich was the Captain in that battle. She really was, and is. But in her position as Housing Court Magistrate she was tough and she was strong, and that's exactly what we need in this City.

I don't understand why she was terminated. I just don't understand it and it baffles me. I'm trying to think of some way we can have some positive to come out of this incident, and I think that the only way we can have that is by looking at the question of the judiciary and whether it's independent or not.

I introduce a bill a week ago that says that we should not have at-will magistrates in the City of Pittsburgh. I think that there is a hole in the Home Rule Charter on that issue. The Home Rule Charter says that appointees to Boards and Commissions, if their term expires, then if there's a 60 day lapse, City Council can step in and appoint. There isn't anything about magistrates. And I think we all agree that magistrates who are serving day to day, at the will of anybody, undermines the whole concept of an independent judiciary. And of the several cardinal rules that we learned in our sixth grade Civics class, one of them was that there has to be a separation of powers and there has to be an independent judiciary.

So, hopefully we can find some way of making a positive out of this, and that will be to make at-will magistrates illegal.

Mr. Millones:

I have a different view from my colleagues. As you know, I have introduced legislation to prohibit Councilmembers from appearing before the judiciary to which they appoint, such as Mrs. Miskovich. So, when Councilman Ricciardi, my colleague, says that he doesn't understand why there isn't an independent court, he can answer that himself because he has appeared before the court in his capacity as a Councilman. I think that's a conflict of interest given that we sign off on that appointment.

I think, furthermore, this morning's demonstration is an example of how the office is not independent and has been politicized, but I will address that issue at another time.

However, I question Mrs. Miskovich's judgment in terms of her sitting as a Chairperson of the Zoning Board and, at the same time, representing the bigots in Washington County

against Mel Blount's home. I would oppose her on that basis alone. But I'm more concerned about the process and the lack of the independence of that office and I think that this is a good example of it. I think we are treading very, very deep and dangerous waters.

The Chair:

I would like to make a comment here unless another Councilmember has not. I think we need to move on here and give every Councilmember an opportunity.

Mr. Onorato:

Real quick, I would like to state that, and my own concern, the whole issue here is the independence of the court. And it appears that a magistrate, a judge, whatever you would like to call her, should not be removed except for just cause. And a log jam in Council is not just cause, as far as I'm concerned.

It's so important that the magistrates are independent so that when one of my colleagues or myself goes in front of the magistrate, if I would go in front of the magistrate, that she can make a decision knowing that politically I can't remove her.

That also works for the Executive branch of government too. Neither branch should have the power to remove a magistrate based on her decisions. I'm not saying that happened here, but the point is, from January 1, 1991 she was serving at-will and it looks like she could have been removed at any time by the Executive branch of this government.

That's not good, it's not independent, and you can't expect to have independent decisions with that kind of influence over a magistrate.

Mr. Ricciardi:

Mr. Milliones did bring up my name and mention my name in terms of a piece of legislation, and I will hold that discussion for tomorrow.

However, I would like to say, getting back to the resolution, that if any of my colleagues have an opportunity, they will see that Judge Miskovich has put in more time in City Court than any other magistrate. Her time card reflects that. She has heard more cases than any other magistrates and her time card reflects that. She is the only magistrate who has gone out to the neighborhoods, and her time card reflects that. And, in the last two and a half years, according to the information that I have received, she is the only magistrate who has not taken a sick day, a vacation day, or a personal day.

Deborah Miskovich is dedicated. She's hard-working, she's honest, she's above approach, and we need her in City Hall. Thank you.

Michelle Madoff:

May I make another comment? If there is sincerity amongst my colleagues and amongst the community leaders that are here to share what we all share, including myself, that Deborah is the best thing since 7-UP and that we want her back in the courts, then when you leave here, go over and see the Mayor as a body. I wish I had had my community leaders here.

But I want to point out that I cannot sit here, no matter whether I lose an election because I tell the truth or turn people against me, this is the best Council we've ever had in the years I've been here, and it's been a long time and I've gone through some pretty grim Councils. I hope I don't turn my colleagues off, but I have to tell the truth because I have to live with me. The truth is that

while there is some validity, perhaps a lot of validity to the fact that no judge, and in essence she's a judge, should serve at will because they can get fired, and that's why I dropped off my six month appointment to the Leasing Authority because if I don't vote the right way I could get kicked off, so I just left.

We cannot afford to lose Deborah Miskovich. We all agree on that. But the truth of the matter is that this Council tied the votes of two other judges to her reappointment. And that's why it is a political power struggle between this Council and the Mayor.

I disagree with the Mayor 1000 percent on this. But if we loved the Mayor, whoever was Mayor, the rules are, the way it's played is that you cannot force a Mayor to appoint anybody at any time. That's the sad part. So we played right into seeing that Deborah doesn't get re-appointed.

And I'm hoping that you really mean what you say, as we do, that she's great, and go down and get the Mayor to appoint her. That's what I would like to see happen. And we can join you.

The Chair:

I'm going to make a comment and then we're going to vote here.

I guess if anyone could blame the dismissal of Judge Miskovich, maybe it's on me because I have held the appointment of two judges trying to work out a disagreement that exists between this Council and the Administration.

I want everyone to know though, in a point blank manner, that I have kept this issue out of the public for professional reasons so that there is not controversy related to it.

Council acted in good faith two weeks ago on the reappointment of Judge Watson, and we asked the question, "How about the expired term of Deborah Miskovich? What is the status of that appointment?" Now, in the dismissal of Deborah Miskovich, the explanation given by the Mayor's Office, Mr. Woodcock, was that there was a political log jam in Council. Well, if that's the way they view it, so be it. I really don't interpret that as being the reason, but if they want to blame Council or blame me, as President of Council, that's fine. I'll take that responsibility.

I think Council, though, has a bigger responsibility and that responsibility is checks and balances in government. And we are speaking out, and I have spoken out, that this person has done an excellent job as a City Magistrate when, in fact, I have numerous complaints about other magistrates. I don't know if all of you hear them, but I hear them in my office and I have not heard them about Deborah Miskovich. I'm sure she's not perfect, like anyone else, but Judge Miskovich I will stand beside any day as doing a great job representing the City. Absentee landlords know that, these community leaders know that, the neighborhoods know that.

I believe that the woman should not have been removed. Now, maybe Council can't change that, but so be it. We can at least send a message and I think that's what's happening today. Council should do that occasionally. Council should provide checks and balances on this government. Council should offer its opinion. And if we have someone working who is professional in this City, we should stand up and compliment that person. And that's precisely what I see happening today. And I'll stand up again beside this judge any day because this judge has made the 88 neighborhoods in this City a better place to live. That's precisely how I feel.

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeable to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES 1

(MR. MILLIONES VOTING NO)

And a majority of the votes of Council being in the affirmative, the motion passed finally.

Mr. Ferlo:

Mr. Wagner, very briefly, I do want to note the attendance of former Councilman Baldy Regan in the audience and I'm sure he feels somewhat vindicated today about independent judiciary.

I would ask, with your permission, Mr. President, just three one-minute statements from Aggie Brose, John Robison and Ora Lee Carroll, since they're the first three people up here, if that's alright with everybody else. I want to respect the legislative process that we have to deal with today.

So, Ora Lee, John and Aggie, if you could just make a very brief one-minute statement. Ora Lee Carroll from the East Liberty Concerned Citizens.

Ms. Carroll:

Good morning. I'm deeply touched this morning because I heard one no vote and I definitely, definitely respect you. I want to meet with you because if something is going on that I don't know, I need to know it.

I want to say that I am here because of performance, I'm here because I am concerned, and if there is something that the East Liberty Concerned Citizens and the section of Lincoln Larimer should know, we should know and meet about it.

As I see it now, I have petitions, I have letters here, I have documents that I can leave with you Councilmembers that was dated to the Mayor on October 17, 1991 asking her that Deborah stay and we were so pleased to have her in our community. I believe if anything like this is happening, I see that it's political favor. They're above the law and I believe they're all lawmakers and the chief lawmaker should answer for why she was fired. Go with performance and because of personality they should put them in their pocket. Political payoff should stop. Pennsylvania, the City of Pittsburgh, will come together. If there were no political payoffs and judging people by performance and their character, this City would be better off.

Mr. Robison:

I'm Jonathan Robison, Chairperson of the Pittsburgh Advisory Committee on Housing and Community Development.

The following resolution will be presented at our next membership meeting which is Thursday, May 7th, at 10:00 at the Downtown Branch of the Carnegie Library.

Pittsburgh Committee on Housing and

Community Development is very concerned with prevention and cure of deteriorated housing conditions. It is vital that building codes and health codes be enforced fairly for all property owners. It is vital that all small property owners, especially senior citizens, be given help to get in compliance with the laws. And it is vital that absentee slumlords not be given immunity because they have political connections or because they are substantial campaign contributors.

We deplore any termination of Magistrate Deborah Miskovich as Housing Court Magistrate of the City of Pittsburgh. All those who are familiar with Housing Court know of her outstanding knowledge, her outstanding dedication and the outstanding job she's doing. They can only conclude that she is being fired because she does her job too well.

We applaud Council for backing Magistrate Miskovich and I am certainly going to go down to the other end of the hall to pass this message on to our Mayor. Thank you.

Ms. Brose:

I'm Aggie Brose. I'm with the Bloomfield-Garfield Corporation and I thank you for the opportunity, Jimmy, to come down here and voice our opinions.

All of you who know me, I am very seldom at a loss for words, but I am today. I'm very discouraged; I'm very disheartened.

My message to the community, since the Mayor or whoever is sending out the message to us to take away the valuable tools that we have to build our neighborhoods, that as Dan said, we're out there in those trenches. I don't know how many of you are aware of the problem we have with those slum landlords and abandoned houses which, in my neighborhood, a very small

neighborhood, 77 of those abandoned houses are owned by you, the City of Pittsburgh. You're one of the biggest slum landlords in my neighborhood.

I'll tell you what. If you continue to not support us and not listen to us and take away the tools that we need, like a Deborah Miskovich that does make change, my message should be, here, have your City. I'm paid staff but I can work somewhere else for a living. Our good volunteers in Bloomfield, give it up. Give it to you people to run because you're not listening to the people out there who are out there doing the work. And I'll tell you what, it gets harder and harder every single day to make change. Thank you.

The Chair:

Thank you.

The Chair presents

No. 705 WHEREAS, the Soldiers and Sailors Memorial Hall of Valor was established to recognize those individuals that have received this country's highest awards for military service; and

WHEREAS, Mr. Charles W. Tate, a resident of the Manchester neighborhood in the City of Pittsburgh, will be inducted into the Soldiers and Sailors Hall of Valor on Saturday, April 11, 1992; and

WHEREAS, Mr. Tate served in the U.S. Army Air Force as a First Lieutenant during World War II and retired from the Air Corps as a Captain; and

WHEREAS, Mr. Tate was awarded the Distinguished Flying Cross for 92 combat missions over occupied Europe-Southern France, Germany and Rome-Arno. As a fighter pilot of P-40 and P-51 aircraft, Mr. Tate did dive

bombing, strafing, and long-range escort service; and

WHEREAS, Mr. Tate, who has also received the Air Medal with four Oak Leaf Clusters, logged approximately 698 flying hours, of which 310 were in combat, and he served as flight leader for about twenty missions.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby congratulate Mr. Charles W. Tate on being inducted into the Soldiers and Sailors Memorial Hall of Valor and to commemorate his induction declares Saturday, April 11, 1992 as "Charles W. Tate Day" in the City of Pittsburgh.

Mr. Millones moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

The Chair:

That was presented on Saturday and introduced today.

The Chair presents

No. 706 WHEREAS, Governor Casey has designated a nine-county organization to be formed by the Southwestern Pennsylvania Regional Planning Commission to serve as the Local Development District for Southwestern Pennsylvania; and

WHEREAS, the Local Development Center District for Southwestern Pennsylvania includes the counties of Allegheny, Armstrong, Beaver, Butler, Fayette, Greene, Indiana, Washington and Westmoreland; and

WHEREAS, the Southwestern

Pennsylvania Regional Development Council, Inc. will be established as the corporate body of the Local Development District; and

WHEREAS, the Southwestern Pennsylvania Regional Planning Commission seeks, to the maximum extent possible, to integrate its members, policies and functions with those of the Southwestern Pennsylvania Regional Development Council; and

WHEREAS, the Local Development District is to serve and function for purposes of the Appalachian Regional Commission, the State Enterprise Development Programs, and the economic development of all southwestern Pennsylvania; and

WHEREAS, the Local Development District will facilitate the establishment and expansion of businesses in southwestern Pennsylvania and will endeavor to strengthen the capacity of county and local governments to administer and develop their communities.

NOW, THEREFORE, BE IT RESOLVED, that the City of Pittsburgh shall be a member of the Southwestern Pennsylvania Regional Development Council; and

BE IT FURTHER RESOLVED, that the City will share the Council's local costs in accord with a cost-sharing formula and annual budget.

Mr. Millones moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Cohen presented

No. 632 Resolution approving a Conditional Use Exception under Section 993.01(a)A(26) of the Pittsburgh Code, Title

Nine, Zoning, Article V, Chapter 993, in the Rehabilitation Institute of Pittsburgh for authorization to raze eight existing structures and construct a four-level, 116,000 square foot extension to the existing facility located at 6301 Northumberland Street, with parking to accommodate 212 automobiles, on property zoned "R2" Two Family Residence District, 14th Ward. (Council District #5)

Also,

No. 633 Resolution amending Resolution Nos. 507, 706, 956, 1148 and Resolution No. 1221 of 1991 and Resolution No. 211 of 1992 for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1991 Community Development Block Grant Program, so as to reprogram funds under City Council.

Also,

No. 634 Resolution amending Resolution No. 97, effective February 28, 1992 entitled "Resolution providing for an Agreement or Agreements with Catholic Youth Association for minor rehabilitation of their Senior Center, in an amount not to exceed \$3,000.00", so as to increase the amount appropriated from \$3,000.00 to \$4,000.00, chargeable to and payable from the 1991 CDBG Program - City Council - "Catholic Youth Association".

Also,

No. 635 Resolution providing for an Agreement or Agreements with Black Contractors Association for administrative/operating assistance at a cost not to exceed \$5,000.00, chargeable to and payable from the 1992 CDBG Program - City Council - "Black Contractors Association".

Also,

No. 636 Resolution providing for an Agreement or Agreements with the Black Vietnam Era Veterans for administrative/operating support in an amount not to exceed \$5,000.00, chargeable to and payable from the 1992 CDBG Program - City Council - "Black Vietnam Era Veterans".

Also,

No. 637 Resolution providing for an Agreement or Agreements with the Bloomfield Citizens Council for administrative and/or operating assistance at a cost not to exceed \$9,000.00, chargeable to and payable from the 1992 CDBG Program - City Council - "Bloomfield Citizens Council".

Also,

No. 638 Resolution providing for an Agreement or Agreements with the Boys & Girls Club/Smart Moves for administrative/operating support in an amount not to exceed \$10,000.00, chargeable to and payable from the 1992 CDBG Program - City Council - "Boys & Girls Club/Smart Moves".

Also,

No. 639 Resolution providing for an Agreement or Agreements with the Boys & Girls Club/Swimming Pool for administrative/operating support in an amount not to exceed \$3,888.00, chargeable to and payable from the 1992 CDBG Program - City Council - "Boys & Girls Club/Swimming Pool".

Also,

No. 640 Resolution providing for an Agreement or Agreements with the Brashear

Association for administrative-operating assistance of their multi-purpose facility assisting elderly and low income persons at a cost not to exceed \$5,000.00, chargeable to and payable from the 1992 CDBG Program - City Council - "Brashear Association".

Also,

No. 641 Resolution providing for an Agreement or Agreements with the Center for Victims of Violent Crimes for administrative/operating assistance at a cost not to exceed \$5,000.00, chargeable to and payable from the 1992 CDBG Program - City Council - "Center for Victims of Violent Crimes".

Also,

No. 642 Resolution providing for an Agreement or Agreements with the Catholic Youth Association for minor rehabilitation and purchase of equipment/furniture for the multi-purpose senior center, at a cost not to exceed \$7,000.00, chargeable to and payable from the 1992 CDBG program - City Council - "Catholic Youth Association".

Also,

No. 643 Resolution providing for an Agreement or Agreements with the Carriage House for handicapped improvements and rehabilitation in an amount not to exceed \$8,000.00, chargeable to and payable from the 1992 CDBG Program - City Council - "Carriage House".

Also,

No. 644 Resolution providing for an Agreement or Agreements with the Greater Pittsburgh Commission on Women for administrative assistance in operating its services in an amount not to exceed \$2,500.00,

chargeable to and payable from the 1992 CDBG Program - City Council - "Greater Pittsburgh Commission on Women".

Also,

No. 645 Resolution providing for an Agreement or Agreements with Council Care for administrative assistance and operating funds of their Adult Day Care Program in an amount not to exceed \$3,000.00, chargeable to and payable from the 1992 CDBG Program - City Council - "Council Care".

Also,

No. 646 Resolution providing for an Agreement or Agreements with Friendship Development Associates, Inc., for administrative/operating support of their "Housing Information Program" in an amount not to exceed \$7,000.00, chargeable to and payable from the 1992 CDBG Program "City Council - Friendship Development Associates, Inc.".

Also,

No. 647 Resolution providing for an Agreement or Agreements with Golden Triangle Radio Information Center for administrative support in operating radio programs serving elderly, homebound elderly, unemployed, and disabled in an amount not to exceed \$3,000.00, chargeable to and payable from the 1992 CDBG Program "City Council - Golden Triangle Radio Information Center".

Also,

No. 648 Resolution providing for an Agreement or Agreements with the Greenfield Organization for administrative support in operating programs serving elderly and low income residents in an amount not to exceed

\$17,988.00, chargeable to and payable from the 1992 CDBG Program "City Council - Greenfield Organization".

Also,

No. 649 Resolution providing for an Agreement or Agreements with the Health Agency Coalition for administrative/operating assistance at a cost not to exceed \$3,000.00, chargeable to and payable from the 1992 CDBG Program - City Council - "Health Agency Coalition".

Also,

No. 650 Resolution providing for an Agreement or Agreements with the Hill Community Development Corporation for acquisition and architectural assistance of a building to be used in their development and revitalization programs at a cost not to exceed \$12,000.00, chargeable to and payable from the 1992 CDBG Program "City Council - Hill Community Development Corporation".

Also,

No. 651 Resolution providing for an Agreement or Agreements with the Hilltop/Mt. Washington Meals on Wheels for administrative/operating assistance at a cost not to exceed \$7,000.00, chargeable to and payable from the 1992 CDBG Program - City Council - "Hilltop/Mt. Washington Meals on Wheels".

Also,

No. 652 Resolution providing for an Agreement or Agreements with the Homewood Art Museum for site preparation/construction of a storage facility at a cost not to exceed \$4,000.00, chargeable to and payable from the 1992 CDBG Program - City Council - "Homewood Art Museum".

Also,

No. 653 Resolution providing for an Agreement or Agreements with the Jewish Home and Hospital for financial assistance in the operation of their program in an amount not to exceed \$5,000.00, chargeable to and payable from the 1992 CDBG Program - City Council - "Jewish Home and Hospitals".

Also,

No. 654 Resolution providing for an Agreement or Agreements with the Kingsley Association for administrative/operating assistance at a cost not to exceed \$5,000.00, chargeable to and payable from the 1992 CDBG Program - City Council - "Kingsley Association".

Also,

No. 655 Resolution providing for an Agreement or Agreements with Lincoln-Larimer-Lemington-Belmar Citizens Council for administrative/operating support of their "Housing Information Program" in an amount not to exceed \$38,888.00, chargeable to and payable from the 1992 CDBG Program - City Council - "Lincoln-Larimer-Lemington-Belmar Citizens Council".

Also,

No. 656 Resolution providing for an Agreement or Agreements with the Neighborfair Kids Watch for administrative/operating assistance at a cost not to exceed \$3,000.00, chargeable to and payable from the 1992 CDBG Program - City Council - "Neighborhood Kids Watch".

Also,

No. 657 Resolution providing for an

Agreement or Agreements with the Pittsburgh Recovery Center for administrative/program support in an amount not to exceed \$4,000.00, chargeable to and payable from the 1992 CDBG Program - City Council - "Pittsburgh Recovery Center".

Also,

No. 658 Resolution providing for an Agreement or Agreements with the Pittsburgh Trust for Cultural Resources for administrative/operating support at a cost not to exceed \$5,000.00, chargeable to and payable from the 1992 CDBG Program - City Council - "Pittsburgh Trust for Cultural Resources".

Also,

No. 659 Resolution providing for an Agreement or Agreements with St. Clair Athletic Association for rehabilitation of their Senior Center in an amount not to exceed \$6,000.00, chargeable to and payable from the 1992 CDBG Program - City Council - "St. Clair Athletic Association".

Also,

No. 660 Resolution providing for an Agreement or Agreements with the Salvation Army - North Side Corps for administrative assistance in operating their food distribution program in an amount not to exceed \$10,000.00, chargeable to and payable from the 1992 CDBG Program - City Council - "Salvation Army".

Also,

No. 661 Resolution providing for an Agreement or Agreements with the Sickle Cell Society to provide administrative/operating support to the Agency in an amount not to exceed \$9,000.00, chargeable to and payable from the 1992 CDBG Program - City Council - "Sickle

Cell Society".

Also,

No. 662 Resolution providing for an Agreement or Agreements with the South Side Local Development Company for administrative/operating assistance at a cost not to exceed \$11,000.00, chargeable to and payable from the 1992 CDBG Program - City Council - "South Side Local Development Company".

Also,

No. 663 Resolution providing for an Agreement or Agreements with Southwest Pittsburgh CDC for administrative/operating support of their "Social Services Program" in an amount not to exceed \$19,800.00, chargeable to and payable from the 1992 CDBG Program - City Council - "Southwest Pittsburgh CDC".

Also,

No. 664 Resolution providing for an Agreement or Agreements with the Three Rivers Employment Agency for administrative/operating assistance in operating their "Employment Training Programs" in an amount not to exceed \$25,560.00, chargeable to and payable from the 1992 CDBG Program - City Council - "Three Rivers Employment Agency".

Also,

No. 665 Resolution providing for an Agreement or Agreements with Ursuline Center for administrative support in operating programs serving elderly, homebound elderly, unemployed, disabled and child care center, in an amount not to exceed \$3,000.00, chargeable to and payable from the 1992 CDBG Program - City Council - "Ursuline Center".

Also,

No. 666 Resolution providing for an Agreement or Agreements with Vietnam Veterans' Leadership Program for support of their counseling services to homeless veterans at a cost not to exceed \$17,000.00, chargeable to and payable from the 1992 CDBG Program - City Council - "Vietnam Veterans' Leadership Program".

Also,

No. 667 Resolution providing for an Agreement or Agreements with Vintage, Inc. for administrative assistance and operating funds of their Adult Day Care Program in an amount not to exceed \$12,000.00, chargeable to and payable from the 1992 CDBG Program - City Council - "Vintage, Inc."

Also,

No. 668 Resolution providing for an Agreement or Agreements with Washington Heights Ecumenical Food Bank for administrative assistance in operating their food distribution program in an amount not to exceed \$5,000.00, chargeable to and payable from the 1992 CDBG Program - City Council - "Washington Heights Ecumenical Food Bank".

Also,

No. 669 Resolution providing for an Agreement or Agreements with West End Elliott Joint Project for administrative/operating assistance at a cost not to exceed \$8,000.00, chargeable to and payable from the 1992 CDBG Program - City Council - "West End Elliott Joint Project".

Also,

No. 670 Resolution providing for an

Agreement or Agreements with the Westside CDC for administrative/operating support in an amount not to exceed \$6,888.00, chargeable to and payable from the 1992 CDBG Program - City Council - "Westside CDC".

Also,

No. 671 Resolution providing for an Agreement or Agreements with YMCA/Garfield Branch for the operation of their food pantry, feeding and housing counseling programs for the benefit of the residents of the City of Pittsburgh at a cost not to exceed \$5,000.00, chargeable to and payable from the 1992 CDBG Program - City Council - "YMCA/Garfield Branch".

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Darkins presented

No. 672 Resolution Repealing Res. No. 195, appr. March 3, 1992, entitled "Providing for the rental of two (2) charter buses for elderly city residents to attend a lobbying effort in Harrisburg, PA on March 11, 1992, in support of ceiling price on prescription medication, at a cost not to exceed \$2,000.00, payable from Code Account 1001-1 (100115), Miscellaneous Services, Supplies and Equipment." ---**(SPONSORED BY MR. DARKINS)**

Which was read and referred to the Committee on Parks and Recreation.

Also,

No. 673 Resolution providing for the rental of two (2) charter buses for Jobs with Peace (Save our Cities Rally) in Washington, D.C. on May 16, 1992, at a cost not to exceed \$2,000.00, chargeable to and payable from Code Account 1001-1, Miscellaneous Services, Supplies and

Equipment (Index Code 100115).
---(SPONSORED BY MR. DARKINS)

Which was read and referred to the Committee on Planning, Housing and Development.

Mr. Darkins moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Onorato seconded the motion.

Which motion prevailed.

Also,

No. 674 Resolution providing for the issuance of a warrant in favor of the CSX Corporation, in the amount of \$7,199.56 for railroad flag protection during repairs to a waterline near Boundary Street, chargeable to and payable from Code Account 3-01-35-0001-91, Capital Construction Division.

Which was read and referred to the Committee on Finance.

Mr. Ferlo presented

No. 675 An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, to include Bed and Breakfast as a Conditional Use Permitted by Council. --- (SPONSORED BY MR. FERLO)

Which was read and referred to the Committee on Planning, Housing and Development.

Mr. Millions presented

No. 676 Resolution carrying over balances or portions thereof remaining in certain code accounts for the year 1991 to the same or to

other code accounts for the year 1992.

---(SPONSORED BY MR. MILLIONES)

Which was read and referred to the Committee on Finance.

Mr. Millions moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Cohen seconded the motion.

Which motion prevailed.

Also,

No. 677 Resolution providing for the issuance of a \$2,236.55 warrant in favor of damage to a leased vehicle, in October 1991 while conducting investigation, payable from Code Account No. 46, Judgments.

Also,

No. 678 Resolution providing for the issuance of a \$12,940.68 warrant in favor of Robert and Rose Gitzen in settlement of claim for property damage incurred as the result of a overflow of sewage into claimant's basement. Overflow was due to debris left in the city line, payable from Code Account No. 46, Judgments.

Also,

No. 679 Resolution providing for the issuance of a warrant in the sum of \$30,000.00 to Barbara A. Mozick and Anthony J. Mozick c/o Thomas Hollander, Esquire, 1311 Frick Building, Pittsburgh, PA 15219 in full and final settlement of an alleged accident involving a fall on ice by Barbara A. Mozick in front of 1934 Dale Street in the City of Pittsburgh on or about January 21, 1989, payable from Code Account

No. 46, Judgments.

Also,

No. 680 Resolution providing for an Agreement or Agreements with a qualified Management Consulting Firm for professional services in the development of an indirect cost allocation plan for the City of Pittsburgh for a period of three years, for the years 1992 through 1994, at a cost not to exceed \$17,500.00 in 1992, not to exceed \$18,000.00 in 1993, and not to exceed \$18,500.00 in 1994, subject to annual appropriations, chargeable to and payable from Code Account 1017, Miscellaneous Services, Mayor's Office.

Also,

No. 681 Resolution providing for an Agreement with Elmer James Graham and Emma Mae Graham, his wife, for acquisition by the City of Pittsburgh of property of the Grahams at No. 8 Queen Street, 24th Ward, City of Pittsburgh, for the sum of \$17,000.00 and to make such other payments including those for realty transfer taxes, recording fees and other necessary and property expenses in an amount not to exceed \$800.00, the aggregate amount of \$17,800.00, chargeable to and payable from Code Account No. 46, Judgments.

Also,

No. 682 Resolution amending Resolution No. 198, Item B, effective March 11, 1992, which authorized the sale of a vacant lot, 42.33' x avg. 117.6' x 70.75' tr., located at 753 Steuben Street, 20th Ward, Block 10 C, Lot 276, to Kathy A. Wanat, for the sum of \$7,007.99. The reason for the amending resolution is to correct the block and lot number which currently reads Block 10 C, Lot 276 to read Block 19 C, Lot 276. (Council District #2)

Also,

No. 683 Resolution Repealing Resolution No. 52, Item B, effective February 10, 1992, which authorized the sale of a two story, brick house situated on a lot 19.1' x avg. 79.36', known as 5020 Blair Street, 15th Ward, Block 56 J, Lot 125, to Construction Plus Inc., for the sum of \$2,000.00, as the purchasers have failed to comply with the agreement of sale. The hand money of the purchasers in the amount of \$200.00 is to be forfeited. (Council District #5).

Also,

No. 684 Resolution Repealing Resolutions, approved on various dates, authorizing the sale of properties in various Wards of the City of Pittsburgh, in accordance with Act No. 171 of 1984.

Also,

No. 685 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties, acquired at tax sales in accordance with Act No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

Which were severally read and referred to the Committee on Finance.

Mr. Onorato presented

No. 686 Resolution amending Resolution No. 317, effective April 3, 1992 entitled: "Resolution providing for an Agreement or Agreements with NeighborFair Pittsburgh, Inc. for National Night Out for services for the residents of the City of Pittsburgh during 1982, chargeable to and payable from Code Account 1401, Bureau of Administration, Department of Public Safety."

Which was read and referred to the Committee on Public Safety.

Mr. Onorato moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Cohen seconded the motion.

Which motion prevailed.

Also,

No. 687 Resolution requesting permission to transfer on a quarterly basis, funds from the City County Integrated Identification System Project (CCIISP), to the Community Communications Trust Fund, Bureau of Cable Communications, Department of Public Works for reimbursement to the Cable Bureau for expenses incurred while providing photographic services.

Which was read and referred to the Committee on Finance.

Mr. Ricciardi presented

No. 688 Resolution transferring the amount of \$1,839.21 from Code Account 1001-2, District #3, Salaries & Wages As Needed, to Code Account 1001-1, Misc. Services, Supplies, Equipment, etc., City Council.
--(SPONSORED BY MR. RICCIARDI)

Which was read and referred to the Committee on Finance.

Mr. Ricciardi moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Also,

No. 689 Resolution further amending Resolution No. 1415, effective January 1, 1991, as amended, entitled "Adopting and approving the 1991 Capital Budget and the 1991 CDBG Program and approving the 1991 through 1996 Capital Improvement Program," by increasing EC 91-553 (South Tenth Street Bridge Rehabilitation) by \$314,000.00, from \$236,000.00 to \$550,000.00.

Also,

No. 690 Resolution further amending Resolution No. 626, effective July 3, 1991, entitled "Providing for a Cooperation Agreement or Agreements with Allegheny County for the City's share of the costs for improvements to City-owned facilities located within and being part of the County-owned South Tenth Street Bridge; and providing for the payment of the costs thereof," by increasing the total project allocation by \$314,000.00, from \$236,000.00 to \$550,000.00, chargeable to and payable from Code Account EC 91-553.

Also,

No. 691 Resolution further amending Resolution No. 1327, effective December 23, 1982, as amended by Resolution No. 820, effective September 30, 1983, as amended by Resolution No. 612, effective August 3, 1989, as amended by Resolution No. 637, effective July 5, 1990, entitled, "Providing for an Agreement or Agreements, or Supplemental Agreement or Agreements, with a Consultant or Consultants for Engineering Services in connection with the Rehabilitation of a portion of Ft. Pitt Boulevard -

Eastbound and the Rehabilitation of the Market Street Overpass; providing for ■ Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation; and providing for the payment of the cost thereof," by increasing the total project allocation by \$450,000.00 from \$526,000.00 to \$976,000.00.

Also,

No. 692 Resolution adopting Official Sewage Facilities Plan revision for The Allegheny County Jail and Pittsburgh Public Safety Complex located on Second Avenue between Grant Street and Brady Street and Parkway East.

Also,

No. 693 Resolution adopting Official Sewage Facilities Plan revision for the Housemaster Beltzhoover Project located at the corner of Cedarhurst and Delmont Street in the 18th Ward of the City of Pittsburgh.

Which were severally read and referred to the Committee on Engineering and Construction.

The Chair presented

No. 694 Resolution providing for the issuance of a warrant in favor of The Walter H. Drane Company, Tower East-Suite 180, 20600 Chargin Boulevard, Cleveland, Ohio 44122, in the amount of \$12,201.68, in payment for the preparation and supplements to the Pittsburgh Code, chargeable to and payable from Code Account 1005-3, Printing Pittsburgh Code, Index Code No. 100537.

---(SPONSORED BY MR. WAGNER)

Which was read and referred to the Committee on Finance.

Also,

No. 695 Communication from Tom Flaherty, City Controller, submitting the Fiscal Audit of Dog Licenses, Department of Finance ■■ of December 1991.

Which was read, received and filed.

UNFINISHED BUSINESS

The Chair presents

No. 518 Resolution approving Donald Machen, 1256 Beechwood Boulevard, Pittsburgh, Pennsylvania 15206, ■■ ■ City Magistrate for a term to expire January, 1996.

Which was read.

Also,

No. 519 Resolution appointing Louis C. Coles, 3220 Webster Avenue, Pittsburgh, Pennsylvania 15219, as a City Magistrate for a term to expire January, 1993.

Which was read.

Mr. Ferlo:

Mr. President, I move to hold for four weeks.

Mr. Ricciardi seconded the motion.

Mr. Milliones:

This just proves the point that we were trying to make, that if we are trying to make these appointments non-political, we had better start.

Mr. O'Connor:

Mr. President, you mentioned before that Council was getting the blame for this and your words were stop the log jam. I think with these two appointments, if we pass those today, we'll send a message not only that this is out in the open now, the public knows about it, the news media knows about it, but that we are not responsible for the log jam and the firing of this judge, we would have nothing to do with it. And I think we would challenge the Administration to remove that crutch and reappoint her as soon as we pass this.

Mr. Riccardi:

Mr. Wagner, I think we have to remember what the developments were in the past, if we can, that Bob Watson's papers were sent over and reconfirmed and, at the same time, two additional magistrate nominations were sent over while they were only budgeted for one more.

I think that's just all smoke and mirrors. There was never a log jam on this side. All we asked for was an explanation.

I think we should be honest with each other that the Administration was going to dismiss Deborah. And what we're saying is that before you dismiss her, we were owed an explanation.

Just to get back to the motion to hold for four weeks, why I don't think it's going to hurt the court system. Let's please keep in mind that there was one vacancy in City Court for nearly nine months. Please keep that in mind. Plus, two other magistrates were asked to work part-time.

So, holding this for four weeks will in no way affect the operations of City Court. That vacancy has been there for nine months and several other magistrates are working part-time,

so I think we could afford to hold these for four weeks for better clarification on Deborah Miskovich's position here in City Hall.

Mr. Cohen:

Mr. President, I am uncomfortable in holding these appointments and I understand that people are upset about Deborah Miskovich, and I can appreciate that. But I think that if we hold these appointments, that were going to be kind of lowering ourselves and continuing a political mud battle, which I don't think is helpful. I think it's a knee jerk reaction to what happened with Housing Court Magistrate Miskovich, but I don't think it's a positive one. I'm not sure how it helps to hold up these appointments when we don't have any goal in mind as to what we're trying to achieve. I think we need to move ahead and to make sure that the City Court operates, and I think holding this up doesn't serve any purpose.

Michelle Madoff:

I love my colleagues, all of you, and I have to tell you that I agree with Dan Cohen. We have to be above the kind of, and I hate to use it but I'm going to, the CRAP that has been inflicted on Deborah. I don't think the issues are tied together, although we know that politically they are.

I would suggest that we act responsibly, get the people we need into the courts, vote for them go ahead with the appointment. And if Deborah is not reappointed, and incidentally they're setting up a meeting right now with the Mayor and all the community people, if she's not reappointed, that we have a press conference, this Council, and we talk about laying the blame where it belongs.

I don't think you tie the votes and hold up the court issues. I don't think that's responsible and I think we ought to get on with the vote. But,

we're free to speak out at any time and I give you my word, and I'm saying it publicly, if there's a chastising that needs to be done, I will be there and I will even lead it, if you like, because I think Deborah has really got a raw deal. But that's not the issue before us.

The Chair:

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Ferlo	Mr. Ricciardi
Mr. Onorato	Mr. Wagner
	(Pres't)

AYES 4 NOES 4

VOTING NO:

Mr. Cohen	Mr. Millions
Michelle Madoff	Mr. O'Connor

(MR. DARKINS ABSTAINING)

And a majority of the votes of Council not being in the affirmative, the motion was defeated.

The Chair:

The motion to hold for four weeks does not pass due to the lack of five votes. So, we have two appointments in front of us.

Michelle Madoff:

Who are the appointments, please?

The Chair:

Mr. Mackin and Mr. Coles.

Mr. Ricciardi:

Clarification. In order to approve they need five votes; is that correct?

The Chair:

Correct.

Mr. Ricciardi:

If these two names do not pass, and that is do not pass, do not receive five votes, there's always the future opportunity that Mayor Masloff can resubmit their names; is that correct, Mr. Wagner?

The Chair:

It's my understanding that if they do not receive five votes, Mr. Perry, correct me if I'm wrong, they could be brought up for another vote following this session; is that correct?

Mr. Perry:

If the appointees are defeated today, they cannot be brought up before this Council during this session. But, when any bill, upon its final passage, receives the votes of a majority of the Members of Council present, but not a majority of those elected, such bill shall be considered as laid upon the table, and may be called up for further action at the same or any subsequent meeting of Council.

Mr. Darkins:

Mr. Chairman, there is a matter of one vote here, right?

The Chair:

Yes.

Mr. Darkins:

I would like to vote in favor of it being held for four weeks.

The Chair:

So, the abstaining vote is now a vote to hold four weeks and the appointments are held four weeks. And that is permissible to change you vote prior to the next vote on any issue.

Mr. Ferlo:

Mr. President, on this issue. We have yet to receive legal opinion, either from our own Solicitor which I would encourage us to do, as well as from the City Solicitor on the issue of the tenure.

The Chair:

We have a letter out to the Solicitor in that regard. Thank you.

REPORTS OF COMMITTEES

Mr. Milliones presented

Bill No. 696

Report of the Committee on Finance for April 8, 1992 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 529

A Resolution entitled, "Resolution repealing Resolution No. 877, Item A, effective August 24, 1990, which authorized the sale of a two and one half story, brick house situated on a lot 24' x avg. 88', located at 246 Lombard Street, 3rd Ward, designated as Block 11E, Lot 157, to William E. Watson, for the sum of \$5,000.00, as the building has been extensively vandalized since the sale was initiated."

Which was read.

Also,

Bill No. 530

A Resolution entitled, "Resolution amending Resolution No. 981, Item K, effective October 25, 1991, which authorized the sale of a vacant lot 15' x 110', located at 440 Camfield Street, 30th Ward, Block 33E, Lot 206, to David W. & Jacqueline R. Wierchowski, his wife, for the sum of \$300.00."

Which was read.

Also,

Bill No. 531

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties, acquired at tax sales in accordance with Act No. 171 of 1984, 'Second Class City Treasurer Sale and Collection Act', effective December 11, 1984."

Which was read.

Also,

Bill No. 532

A Resolution entitled, "Resolution providing for conveyance by the City of Pittsburgh of certain property, under Act No. 171 of 1984, entitled, 'Second Class City Treasurer Sale and Collection Act', effective December 11, 1984."

Which was read.

Also,

Bill No. 533

A Resolution entitled, "Resolution providing for the conveyance of certain property in the 11th Ward, City of Pittsburgh, to Anthony and Mary Adipietro, husband and wife, their heirs, successors and assigns, for the sum of \$1,500.00."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 536

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Public Strategies, Inc., One Bigelow Square, Suite 616, Pittsburgh, PA 15219, in the amount of \$1,600.00 in payment for professional consulting services rendered to Councilman Eugene Ricciardi for the month of April 1992."
---(SPONSORED BY MR. RICCIARDI)

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 9 NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 537

A Resolution entitled, "Resolution transferring

the amount of \$10,000.00 from Code Account 1001-1, Miscellaneous Services, Supplies, Equipment, etc. City Council (Index Code 100115) to Code Account Lead Prevention Policy Commission Trust Fund (Index Code 252569)." ---(SPONSORED BY MR. WAGNER)

Which was read.

Also,

Bill No. 527

A Resolution entitled, "Resolution further amending and supplementing Resolution No. 1294 approved December 20, 1991, as amended by Resolution No. 67 approved February 4, 1992, and by Resolution No. 256 approved March 10, 1992 effective January 1, 1992 entitled: 'Making appropriations to pay the expenses of conducting the Public Business of the City of Pittsburgh and for meeting the debt charges thereof for the fiscal year, beginning January 1, 1992,' by making certain additions and corrections."

---(SPONSORED BY MR. MILLIONES)

Which was read.

Also,

Bill No. 528

A Resolution entitled, "Resolution amending and supplementing Resolution No. 1295 of 1991, approved December 20, 1991 as amended by Resolution No. 66 approved February 4, 1992 and Resolution No. 257 approved March 10, 1992 effective January 1, 1992 entitled: 'Resolution fixing the number of officers and employees of the City of Pittsburgh and the rate of compensation thereof, and setting minimum levels for designated positions,' by making certain additions and corrections."

---(SPONSORED BY MR. MILLIONES)

Which was read.

Michelle Madoff:

On Bills 527 and 528, the appointment of a legislative service person to go to Washington full-time at a salary of \$50,000 something, I don't basically have any problems with the job or the person who is eminently qualified, but as this Council in the real world has tied the jobs of two magistrates to the reappointment of Deborah Miskovich, this is another example of the same thing, except on one hand you want to do it and on the other hand you don't want to do it.

I have been trying in the years I've been here -- As a matter of fact, I saw Bill Robinson at a legislative meeting with the students and he reminded me that we had gone to court over it and that the courts had said that it cannot be resolved in the courts, that it had to be resolved between the Administration and Council, to have our own full-time lobbyist, and at that time was also a legal counsel.

It seems to me that we need to correct the title of what this person is going to do. They're not a lobbyist; they're going to be a grants person but dealing in specific grants and that is to find out every dollar that is available in the Washington area that relates to education in the grants already available and in job training. Basically those are the two strengths and this person is eminently qualified to do that. I don't have a problem renaming it grants person and taking out the term lobbyist.

But I do want to point out that here's our opportunity to get a full-time lobbyist for the City of Pittsburgh by tying the two together.

As you know, I pointed out that our present lobbyist, Chuck Kohling, earns \$84,000

from this area. It may be more but all I know is the four entities he represents are URA, the County Commissioners, Port Authority and the City. No person can serve two masters, never mind four.

It was pointed out eloquently by one of my colleagues, I think it was Mr. Ferlo at the time, that one good grant to this City would more than pay his salary of \$100,000 of which we now contribute \$20,000.

I had not asked Mr. Kohling recently whether he would be willing to be our lobbyist, but I did bump into him on the street since our last vote and he said yes, he would be. He would give up the other three entities and represent the City of Pittsburgh solely for \$100,000.

I think Council is also aware, and I shared a letter with you that I sent to the immediate world in the private sector, the corporate leaders, Chamber of Commerce, Golden Triangle, all the members of the Cultural Trust, all the teams, saying, okay, you come to us and you bitch and moan, but you don't want to do anything. You want us to do it. Well we can't do it without a full-time lobbyist and a constant presence in Harrisburg. I'm waiting to hear what they're going to do.

I went back to Jim Turner and said, "Aren't you embarrassed that we have to go to the private sector and ask for money?" He said no, he's not embarrassed. He doesn't have any and he'd be happy to accept their money.

So, if anybody is listening out there who got the letters, I'd like to know whether you're willing to chip in on the \$80,000. Kohling is willing to take the job.

And it wouldn't offend me if this Council were to tie those two bills together because in the overall scheme of things I think it's equally important as our Housing Court. We need tax

reform desperately. We need to do something about our amusement tax, etc. I don't need to spell it all out for you again; you know as well as I do because you're here involved with the day to day operation of the City and the potential \$6 million deficit that we're running at the moment. Whether that's true or not, we won't know until we get into the last quarter.

I would ask that you hold up on the vote until you find out whether the Administration is willing to come up.

Again, the problem that I have with Jim Turner, I keep telling you it takes money to make money.

The Chair:

Is that a motion to hold?

Michelle Madoff:

I would like to hold it until, I know it's not going to pass but I will make that motion and I will abstain not because the person isn't good, not because they couldn't do a good job, but because we're losing a golden opportunity.

The Chair:

Is there a second on the motion to hold Bills 527 and 528?

Hearing no second, the motion fails.

Mr. Ferlo:

Mr. President, I do think it's a partial victory and partly to Michelle's credit who for many years has lobbied for the Administration to hire a grants person.

I'm voting for this legislation because I think it's at least a step in the right direction.

And secondly, the Administration did imply at the table that they would be willing to discuss further the issue of employing additional resources for the purposes of hiring a lobbyist.

Mr. Farley, I think, will be an excellent grants person. I think it's money well spent and I think we'll get more than the \$50,000 that we have to invest with reallocating those dollars for that position.

I think you raised a very good point, Mr. Wagner, and that is between now and the end of the year during the budget proceedings, if there's not a clear indication from the Administration that they would put together additional resources for a lobbyist.

Also, I think Michelle has raised an excellent point about other groups in the City being able and willing to contribute to a fund. I think that's something. Maybe we should create a trust fund so that we can recruit those resources and match it with any public dollars.

So, I think we need to continue to work on this but I would say that the sooner Mr. Farley starts working the better off we'll be.

But your point, Mr. Wagner, which I agreed with, was that if the Administration by the end of the year isn't willing and able, Council itself, through the ability that we have to hire a consultant, could fulfill this lobbying agenda.

Mr. Cohen:

I support this bill and have from the beginning because I think that it will give us one more person working with the Federal government that we didn't have yesterday.

That having been said, I do agree with Michelle that we need to have better than this, we

need to keep working to make sure that we get a full-time lobbyist - Chuck Kohling would be terrific; he is terrific - and a full-time grants person. I hope we can move in that direction. I hope we can achieve that goal, but this bill does move in that direction. Hopefully, Michelle's point about being able to spend money to get money will ultimately be realized.

Mr. Ferlo:

I'd like my comments brought forward on these bills.

The Chair:

I'd like my comments brought forward on these bills also. Thank you.

(REMARKS ON FOLLOWING PAGES)

(MESSRS. FERLO & WAGNER'S COMMENTS ON BILLS NO. 527 & 528)
(Wednesday, April 8, 1992)

Mr. Ferlo:

My concern is very quick. I appreciate the Administration taking the time to develop the written information you sent back to Council.

My only concern is I would like to see this bill between now and Tuesday amended to reflect what I think is really the purpose and the function of Mr. Farley, and that would be a grants person. He may happen to be doing some lobbying to ensure that we get the grant, but I think what we are getting here is mixed signals, or maybe the Administration is under the illusion that we can have a full time grants person doing all the things that that person has to do, and at the same time that person is going to be able to put the other hat on and fill the responsibilities of being a lobbyist, either in Harrisburg or D.C.. I think they are two separate and distinction functions. I would hope that we approve Mr. Farley as a grants person, recognizing that part of that person's responsibilities will be lobbying types of activities for grants. But separate and distinct from that, I do think we continue to have a problem in not being politically represented in D.C. and Harrisburg. I think that is a separate function, and I don't think we can resolve it maybe right now, but I think between now and the end of the year and the budget we need to look at that.

I am not going to vote for this if it is continually listed in the budget as a legislative liaison person, because I don't think it is. I think it is a grants person, that is what I think it is. I appreciate the information.

(Deleted text.)

Mr. Ferlo:

In a nutshell, all I am saying is in the information that came from the Administration, that 99 percent of the time that we are going to be approving here -- and I hate to point to Mr. Farley, but he is the person going to be doing the job -- is grants person kinds of activities. That is all the complicated, time consuming work involving the written documents, servicing all the various departments that in some way may find or locate opportunities for money, be they Engineering and Construction, Public Works, Public Safety, City Planning, et al. Ninety-nine percent of that activity as far as function is a grants person kind of relationship. It may include being in Harrisburg and D.C. and lobbying for those grants regardless of what they are.

But separate and distinct from that, as Michelle is talking about, Mr. Wagner and many others long before even they got here, that we continue to need that political presence in Harrisburg and D.C. that is much more of a political lobbying

presence that I don't think is going to be able to be done by Mr. Farley. It is separate and distinct. All we are saying is I am voting in favor of this, I am voting in favor of Mr. Farley, I think getting some movement is better than nothing. This is a step in the right direction, and if he does his job well, he will generate more money than the money we are going to allocate.

But voting for that will still not resolve the unresolved issue that we do not have the lobbying clout and the personage in Harrisburg or D.C.. That is all Michelle is saying, is it is nice to do this, but why don't we do both at the same time? So either if we can do it both at the same time, that is fine, or if you can wait until the end of the year to consider this issue of a lobbyist. But Mr. Farley is not going to fit the bill of being that lobbyist I think many of us on Council are talking about. He will be a creative grants person, he will lobby for those grants which includes going to Harrisburg and D.C., but I guess what we are saying is many of us believe they are two separate and distinct functions.

(Deleted text.)

Mr. Wagner:

Let's move to approve the legislation in front of us, get Mr. Farley working as a grants person, and let Council sit down and work out a manner in which we can initiate a lobbyist full time working in Harrisburg and/or Washington.

(Deleted text.)

Mr. Wagner: If we get a commitment, fine; if not, we will do it ourselves.

(Deleted text.)

Mr. Wagner:

Mr. Turner, let me interject. Councilwoman Madoff, your colleagues totally support you here. And let me respond, if the Administration does not choose to do that in the future, I will make a commitment to you that we will initiate that as a councilmatic action with a Council legislative liaison working in Harrisburg and Washington.

(End of remarks)

(Transcribed by Helen L. Kriebel, Stenotype Reporter)

Also,

Bill No. 612

A Resolution entitled, "Resolution amending Resolution No. 635 of 1991 entitled 'Providing for the filing of an application or applications by the City of Pittsburgh with the Commonwealth of Pennsylvania for a grant or grants in connection with the Joint Jobs Initiative Program Single Point of Contact Project and Transitionally Needy Project; providing for the execution of grant contracts and for the filing of requisitions and other data; approving the Joint Jobs Initiative Program Single Point of Contact Project and Transitionally Needy Project plans; providing for required assurances; providing for execution of payment vouchers and for certification of authorized signatures; providing for a contract or contracts with various agencies/employers for services and programs related to training and employment for the Joint Jobs Initiative Program projects; and providing for the deposit of funds into a bank account,' by increasing the amount available for subcontractor agreements by \$66,586.00."

Which was read.

Also,

Bill No. 613

A Resolution entitled, "Resolution further amending Resolution No. 634 of 1991 entitled 'Providing for the filing of an application or applications by the City of Pittsburgh with the U.S. Department of Labor and/or Commonwealth of Pennsylvania for a grant or grants in connection with the Job Training Partnership Act; providing for the execution of grant contracts and for the filing of requisitions and other data; providing for the appointment of the Private Industry Council and authorization for the Private Industry Council and the City of

Pittsburgh to enter into agreements authorized by the Job Training Partnership Act, as amended; providing for required assurances; providing for the execution of payment vouchers and for certification of authorized signatures; providing for a contract or contracts with various agencies/employers for services and programs related to training and employment for the Job Training Partnership Act projects; and providing for the deposit of funds into a bank account,' by increasing the amount available for subcontractor agreements by \$877,384.00."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 614

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Pamela A. Smoot, Historical Research and Archival

Services, 1838 Arcena Street, Pittsburgh, PA 15219, in the amount of \$4,666.66 in payment for professional consulting services rendered to Councilman Jake Milliones." ---(**SPONSORED BY MR. MILLIONES**)

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 9 NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bill passed finally.

Mr. Darkins presented

Bill No. 697

Report of the Committee on Public Works for April 8, 1992 transmitting one ordinance and sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 448

An Ordinance entitled, "An Ordinance amending and supplementing Ordinance No. 44, approved December 12, 1991 entitled; 'Amending the Pittsburgh City Code, Title Four - Public Places and Property, Article 1 - Street and Sidewalks Chapter by increasing and establishing new fees; by decreasing Item No. 10 Dumpsters, and adding Section 2.'" ---(**SPONSORED BY MR. FERLO, MR. RICCIARDI, MR. ONORATO, MR. DARKINS & MR. O'CONNOR**)

Which was read.

Mr. O'Connor:

Mr. President, I'd like to make a motion to amend Bill 448 in No. 10, The Dumpster Charge, to a flat \$350 per year. In doing so, we do not discriminate against any business district, any business or apartments.

It is a savings from the original \$1,250 to \$350, which is a savings to everyone concerned of \$900 per year from the original budget, which is \$1 a day and I feel it's very justified.

Mr. Ferlo seconded the motion.

Michelle Madoff:

Discussion. May I address my colleague, please, and anybody else who may have an answer?

I like the idea of the flat fee because I think these people should be treated equally. But the big issue here is really not the fee. If you didn't have any fee, well it should be a penalty for violation. We need inspection. That's what it's really all about.

If the Administration stopped dealing in

Mickey Mouse issues like Deborah Miskovich's firing and dealt with important things like - well, you know what I'm saying; they shouldn't be spending their time on that - and sent some of the inspectors out to people and areas where they really have made the City into a garbage dump, and I drive along Walnut Street and look at some of the dumpsters, it's an embarrassment. If you go Downtown, the garbage is strewn in the streets. The pick up people don't come quickly enough. Nobody is mind the store.

Enforcement is the key to this issue and I don't think anybody would disagree with me on that.

It doesn't really matter what the fee is, but my question is, on the \$350, say an apartment owner who has two or three dumpsters out and has paid nothing to date. Is that correct?

Mr. O'Connor:

No, but I think he should have been paying \$60.

Michelle Madoff:

What if they have private haulers picking up their garbage and they keep the place clean? Why are you putting a \$350 fee on it?

Mr. O'Connor:

Because they're using our right-of-way.

Michelle Madoff:

And it's only going to be on dumpsters that are in our right-of-way.

Mr. O'Connor:

The dumpsters that are the size of this desk in our right-of-way.

Michelle Madoff:

Would you please clarify that because there are people listening.

Mr. O'Connor:

You're right, Michelle. If it's on private property, there's no fee at all. It's only for public right-of-way.

Michelle Madoff:

Fine. Thank you. I can support it. You've got my support.

Mr. Ferlo:

But if the place is not kept, they can be cited.

Michelle Madoff:

Absolutely.

The Chair:

Is there any further discussion on the amendment?

And on the question, "Shall the amendment pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen
Mr. Darkins
Mr. Ferlo
Michelle Madoff
Mr. Milliones

Mr. O'Connor
Mr. Onorato
Mr. Ricciardi
Mr. Wagner
(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the amendment passed finally.

Also,

Bill No. 521

A Resolution entitled, "Resolution authorizing the Director of the Department of Public Works to grant an encroachment permit to the University of Pittsburgh for a steam line encroachment under the right of way of Fifth Avenue in the 4th Ward, 8th Council District of the City of Pittsburgh."

Which was read.

Also,

Bill No. 522

A Resolution entitled, "Resolution authorizing the Director of the Department of Public Works to grant an encroachment permit to West Penn Hospital for the installation of a tunnel under South Millvale Avenue in the 8th Ward, 8th Voting District of the City of Pittsburgh."

Which was read.

Also,

Bill No. 523

A Resolution entitled, "Resolution authorizing the Director of the Department of Public Works to grant an encroachment permit to Anthony Ambrogio for a one story and basement addition encroachment on a portion of the right of way of Saline Street in the 15th Ward, 5th Council District of the City of Pittsburgh."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Onorato presented

Bill No. 698

Report of the Committee on Public Safety for April 8, 1992 transmitting one ordinance to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 535

An Ordinance entitled, "An Ordinance supplementing the Pittsburgh Code, Title Five, Traffic, Article I - Administration, Chapter 503, Enforcement and Control, by adding Section 503.13, Warning Signs in Restricted Metered

Parking Areas, for the purpose of mandating the attachment of signs to individual parking meters, indicating restricted parking hours and warning violators that they will be towed."
---(SPONSORED BY MR. O'CONNOR)

Which was read.

Mr. O'Connor:

I have an amendment to that bill. We're going to change the wording. We're going to change the "or" to an "and" between 7 and 9. And on the top, we'll have "No parking between the hours of 7 a.m. and 9 a.m. and 4 p.m. to 6 p.m. Monday through Friday." On the bottom we'll have, "You will be towed."

Mr. Ferlo seconded the motion.

Which motion prevailed.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Milliones	(Pres't)

AYES ■

NOES none

And ■ majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Ricciardi presented

Bill No. 699

Report of the Committee on Engineering and Construction for April 8, 1992 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 495

A Resolution entitled, "Resolution further amending Resolution #1296, effective January 1, 1992, as amended, entitled 'Adopted and approving the 1992 Capital Budget and the 1992 Community Development Block Grant Program and approving the 1992 through 1997 Capital Improvement Program,' by authorizing \$355,000.00 1992 funding for Project 217, Monongahela Incline Wall."

Which was read.

Also,

Bill No. 496

A Resolution entitled, "Resolution providing for a Contract or Contracts, or use of existing Contracts, for Construction of the Mon Incline Slope Stabilization; and providing for the payment of the costs thereof."

Which was read.

Michelle Madoff:

On Bill 495 and 496, the question was asked here by my colleagues as to the liability and responsibility of maintaining the Incline, whether it fell in the purview of the Port Authority or of the

City of Pittsburgh.

Our research by Bill Urbanic of my office shows that the City agreed to take care of this portion of maintenance in 1927. Before I was born. And again in 1972 when it was challenged. That was an agreement with the Port Authority and the Mon Plain Company.

So, I suggest that we vote expeditiously on this because I wouldn't want Council to have anything on their conscience if we have that land that supports the Mon Incline fall down or slide or give us a problem or shut down that road at any time. Please move on it right away because I've been after it for a long time.

There's something going on up there and we just don't really know. Maybe we need to organize a field trip with Alex Sciulli and tell us what that big white pipe is going from the top of the overlooks down to the road. And why, after spending seven years with McArdle Roadway closed either full-time, both sides, or one of the lanes, for seven years, and then they brought it in two months before expectation, seven years late. Big hoopla. The street still looks like a piece of garbage.

I would like to be sure that the wall is finally going to be done, the repaving is done, the sewer that is broken there holding water or whatever it is, the trough, is repaired. The trees are coming down and it is a very serious problem and it is the Niagara Falls of Pittsburgh. Where do people take anybody that comes to the City to look at the City? Up to the overlooks. All of them, whether they're the one on McArdle or a little further down. We really have to make that Roadway accessible.

Mr. Ferlo:

The issues about the need to move expeditiously to correct McArdle Roadway to me

is separate and distinct from the particulars that are before us today as it relates to securing the slope underneath the Mon Incline.

I still don't believe we have a legal opinion, unless Mr. Perry can correct me, regarding this 1926 agreement. As a layperson, when I read it I don't think it says that. I think it says the opposite, that the Port Authority, which assumed the responsibility of the Mon Incline, should also assume responsibility for the particulars of this 1926 agreement.

I'm not in favor of approving this today because we're talking about committing over a half million dollars, over \$500,000 and possibly even more. And until such time that the issue has been exhausted about whether or not the Port Authority is liable or should be accountable for providing monies for this capital project, I don't feel comfortable and committed for voting for this expenditure.

PAT has separate funds available to them from the Urban Mass Transit Association. They can appeal for other capital discretionary dollars from the State Legislature. And I think if nothing else it should at least be a partnership and not all of us immediately footing the bill. I don't think that's fair. I don't think we would be held legally bound to this 1926 agreement, which is not even between the two parties. It's not between the City and the Port Authority; it's something of many decades ago, a company that doesn't even exist anymore.

So, I feel very uncomfortable committing precious and limited capital dollars, especially in light of the fact that I think PAT has other dollars that could be targeted for this project.

I'm voting no on the legislation.

Mr. Cohen:

To be honest, I feel uncomfortable both ways because on the one hand Michelle makes a good point about the structure. We have to make sure that we move ahead, I think, to fund to make sure that there isn't an accident on that slope. I think that's got to be our primary goal, to the health and safety of the citizens.

On the other hand, I'm not convinced that we absolutely have responsibility either. With all due respect to Mr. Urbanic's legal abilities, I do think we need to have a legal opinion on this. The agreement of either 1926 or 1927 does say, and I quote, "The City of Pittsburgh agrees to maintain the slope both above and below the Roadway in such a way that the property of the Company shall not suffer any damage." I think we need an interpretation of the agreement. But that certainly implies to me that the City could be held liable.

So, my view is that we should move forward on this and get a legal opinion and try to get the Port Authority to sit down and talk to us about helping to fund this, especially since the Port Authority has some extra money now that the strike is over.

Michelle Madoff:

I think the issue is to go ahead to prevent any further damage in case we are liable and we can always charge it back and go after the appropriate agency if, indeed, Port Authority is supposed to help us or anybody else, the County. We can take action to collect our money.

Mr. Ricciardi:

I'm not an attorney but I think if we go ahead and try to back charge people, we improve the site without their permission, we probably would not receive any reimbursement.

I would like to say something to Michelle, and I realize your concern for the neighborhood and as an advocate for your residents. However, from Alex Sciulli, this is not going out for an emergency contract. It's going out for a bid contract. So, there's not a present danger on site if we're not doing the emergency contract.

Michelle, I'd like to recommit this which means that it would come up tomorrow and it would give us an extra week to deliberate on that, if there is no objection since it is your district.

Michelle Madoff:

It's really sad that our Controller refers to the office as a watchdog office and has an engineering ability there. Somebody who is independent should be looking at that because we're voting in a vacuum again. You know the old line about being kept like mushrooms, in the dark and fed horse manure.

I don't know that that can't come down. I drive there every day and I see this big white pipe going up to the top. I know that I see people there from Construction and Engineering, some of their consultants, looking all the time. There's something going on. That ground is not stable.

And I don't think we have the luxury of saying, "Well, who's going to pay for it?" How are you going to feel, every one of us, if we had somebody hurt or if the whole thing comes down? I don't think we can wait. We've done this on other bridges where we didn't even have money and we picked up the responsibility and paid it because it was an emergency. I don't believe that it is not an emergency; I believe that it is an emergency and it's something you don't second guess.

The Chair:

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Darkins	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 5 NOES 4

VOTING NO:

Mr. Ferlo	Mr. Onorato
Mr. O'Connor	Mr. Ricciardi

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 489

A Resolution entitled, "Resolution further amending Resolution #1415, effective January 1, 1991, as amended, entitled 'Adopting and approving the 1991 Capital Budget and the 1991 Community Development Block Grant Program; and approving the 1991 through 1996 Capital Improvement Program,' by transferring a portion of PW 91-47 (Signals at Various Intersections) Department of Public Works to EC 91-47, (Signals at Various Intersections) Department of Engineering and Construction."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

MOTIONS AND RESOLUTIONS

The Chair presents

No. 707 Resolution appointing David Matter, 501 Undercliff Road, Pittsburgh, Pennsylvania 15221, as a member of the Water and Sewer Authority Board for a term to expire January, 1995. Mr. Matter is replacing Robert Wilburn.

Which was read.

Mr. Ferlo:

Mr. President, I move to have Mr. Matter appear before Council.

Mr. Ricciardi:

Second and discussion. Mr. Wagner, if

we could also have ■ representative from the Administration attend that meeting.

The Chair:

Who are you asking for specifically?

Mr. Ricciardi:

Of course whoever Mayor Masloff decides to send.

The Chair:

From the Water and Sewer Authority?

Mr. Ricciardi:

No, no. I apologize. From her staff.

Michelle Madoff:

Would it be possible to have the head of the Water and Sewer Authority who is leaving to be here to make sure that the issues that were not addressed during the Caliguiri Administration, at which time Dave Matter was the Executive Secretary, that he would be open to those and to hear from —

The Chair:

I don't think that's appropriate, quite frankly.

Michelle Madoff:

That's okay. I'll meet with him before.

WHICH MOTION PREVAILED.

Michelle Madoff:

On Bill 495, on the issue of the Monongahela Incline Wall, why don't we make it

official that the Council requests a legal opinion, which we've already requested, that we get it tout de suite before Tuesday, and that what are the chances of our billing it back and making ■ concerted effort to recover the monies from the other agencies. I don't think we just want to vote for it and forget about it.

The Chair:

Mr. Perry, didn't we request that last Wednesday?

Michelle Madoff:

But I want to add on to that, can we recover the money if we go ahead, and will they make a conscientious effort to recover it?

The Chair:

So noted.

Mr. Ferlo:

On a much lighter note. I'm sponsoring with the Boys and Girls Club in Lawrenceville a Happy Easter Egg Hunt for this Saturday at 1:00 in Leslie Park. Any children in my Council District, regardless of which neighborhood they come from, is more than welcome to participate. And if you have kids that would like to participate in the egg hunt and win some money or some baskets or get some candy, it should be a fun event. It's this Saturday at 1:00 and please call and register your kids by contacting the Boys and Girls Club.

The only other thing is that we have a very brief post agenda, a brief, brief post agenda regarding a proposal from the Lawrenceville Development Corporation and the American Waterways Wind Symphony regarding the construction of a Renaissance Center at Doughboy Square. I'd appreciate any

Councilmembers who are able to stay for just a few minutes.

Mr. Darkins:

I would also like to join in the same type of activities that Councilman Ferlo is talking about. On Easter Monday, the Monday after Easter, at 4:00 at Westinghouse Park it will be the ninth Council District's Easter Egg Hunt for their

children and all are invited at 4:00.

The Chair:

Thank you.

And on the motion of **Mr. Cohen**

Council adjourned.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

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No. 16

Municipal Record

ONE-HUNDRED TWENTY-SEVENTH COUNCIL

JACK WAGNER President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER.... Asst. City Clerk

Pittsburgh, PA
Tuesday, April 21, 1992

PRESENT:

MR. COHEN	MR. O'CONNOR
MR. DARKINS	MR. ONORATO
MR. FERLO	MR. RICCIARDI
MICHELLE MADOFF	MR. WAGNER
MR. MILLIONES	(Pres't)

The Meeting was opened by the recitation of the Pledge of Allegiance to the Flag of the United States of America, and a moment of silent prayer for peace throughout the world.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Cohen:

Would the women from the West Penn School of Nursing come up here, please?

Mr. Cohen presents

No. 725 WHEREAS, the West Penn Hospital School of Nursing, located on Friendship Avenue in Bloomfield, celebrates the centennial anniversary of its commitment to excellence in educating nurses for health care service in Pittsburgh and world-wide; and

WHEREAS, West Penn Hospital, recognizing the need for competent, professionally-educated nurses, established the School of Nursing in 1892 and became one of the first nursing schools in the United States to admit men; and

WHEREAS, the School of Nursing made significant contributions to the Army Nurse Corp during World War II, was one of the country's first nursing schools to become accredited, and became the first hospital nursing program in Allegheny County to affiliate with a college and offer a bachelor's degree; and

WHEREAS, the School of Nursing's Alumni Association is sponsoring the School's 100th Anniversary Celebration Weekend, April 24th to April 26th, and is expected to draw more than 1,000 alumni and guests to special activities

at West Penn Hospital and Station Square.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh commends the West Penn Hospital School of Nursing for providing 100 years of educating health care professionals to care for the sick in the evolving and ever more demanding health care environment; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh hereby proclaims Friday, April 24th through Sunday, April 26th as "West Penn Hospital School of Nursing Weekend" in the City of Pittsburgh and congratulates the School's Alumni Association on planning an outstanding celebration of the School's rich history.

Mr. Cohen moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Cohen:

We have with us today several members of the School of Nursing and the Alumni Association, and they include Judy Vaglia, the President of the Alumni Board; Mary Rogers Shubert, a registered nurse and she's the Reunion Chairperson and Alumni Boardmember; Karen Jones, also a registered nurse and Reunion Vice-Chairperson and also on the Alumni Board; Carol Rossi, a member of the Alumni Board; Patty Black, Secretary of the Alumni Board; Jane Folger, Treasurer of the Alumni Board; and finally but not least, Shirley Wilson, who is the Director of the School of Nursing.

It's a pleasure to give this proclamation today. We hear so much about health care in today's environment and how important it is and health care costs, but I think we often forget that

the people who are really in the front lines of providing health care services are our nurses. And this is one opportunity to congratulate one such school which is the West Penn School that's celebrating its 100th Anniversary. My understanding is that they're having a great weekend coming up. They're going to have a boat ride on the Majestic and a big luncheon at the Sheraden at Station Square so, my congratulations to you and to the school and I hope you have several hundred more years of success in the future.

If one of you could say a few words about this, I'd appreciate it.

Speaker:

Thank you, Councilman Cohen, and thank you, City Council, for this proclamation of our reunion and our anniversary.

The School of Nursing and its Alumni Association is extremely proud of its heritage and the alumni members have worked very hard to try to bring this to the forefront for our 100th Anniversary. You'll see throughout the City billboards designating our anniversary and we've had several articles published about the reunion. We're very proud that people have taken notice to it.

As Councilman Cohen pointed out, nursing is always in the forefront and we're very proud of that and we hope to continue that. Thank you very much.

Mr. Darkins presents

No. 726 WHEREAS, in 1944 Herman A. Armstrong, a Veteran of World War I, and other Veterans, joined forces that lead to the creation of Angell-Bolen Post 4040 Veterans of Foreign War of the United States to serve returning World War II Veterans; and

WHEREAS, the name Angell-Bolen Post 4040 V.F.W. of the United States was chosen to commemorate Sergeants Eugene E. Angell and William Clinton Bolen, the first two African American World War II soldiers from the areas who sacrificed their lives during the 1943 North Africa Campaign; and

WHEREAS, on Saturday, April 18, 1992 Angell-Bolen Post 4040 V.F.W. and it Ladies Auxiliary will celebrate its Forty-Seventh Anniversary as a post, paying tribute to all African Americans who served gallantly in the United States Armed Services.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh recognizes the twenty (20) Post Commanders and nineteen (19) Ladies Auxiliary Presidents for their commitment and dedication to maintain a facility where war time veterans can meet each other, and share the unique bond that exists only among combat veterans.

Mr. Darkins moved to adopt the resolution.

Mr. Millions seconded the motion.

Which motion prevailed.

Mr. Ferlo:

I'd like Susan Nesball from the American Wind Symphony Orchestra, as well as Nancy Noszka from the Lawrenceville Development, to come forward, please.

All Members of Council present

No. 727 WHEREAS, the American Wind Symphony Orchestra, which was founded in Pittsburgh 35 years ago for the purpose of promoting the creation and performance of music and music education, and has performed

hundreds of free concerts on area waterways from the state of its floating arts center, Point Counterpoint II - Pride of Pittsburgh; and

WHEREAS, the Orchestra has promoted international goodwill by serving as the cultural ambassador for the City of Pittsburgh, the Commonwealth of Pennsylvania and the United States throughout Europe, Scandinavia, the British Isles and Russia; and

WHEREAS, the Orchestra proposes to develop former Engine Firehouse No 25 into Renaissance Court, a self-supporting multi-cultural, multi-arts facility which features a unique combination of theatre and living space, as designed by Albert Filoni and adopted by the Doughboy Square Task Force which is comprised of representatives of the Lawrenceville Citizens Council, the Lawrenceville Business Association, the Lawrenceville Development Corporation and the Urban Redevelopment Authority, among others; and

WHEREAS, Renaissance Court will be an anchor in the economic redevelopment of the entire Lawrenceville community because of its location in the Doughboy Square area - the gateway to Lawrenceville and will serve as a visible symbol of neighborhood revitalization in the City of Pittsburgh; and

WHEREAS, Renaissance Court will become the international headquarters of the Festival of the Americas, a joint project of the AWSO, Duquesne University and the Organization of American States.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh supports the proposal of the American Wind Symphony Orchestra to develop Renaissance Court, and commends the Orchestra for its continuing efforts to bring national and

international attention to the City of Pittsburgh through this innovative cultural center; and

BE IT FURTHER RESOLVED, that the Council urges Mayor Masloff and the URA Board of Directors to include Renaissance Court in the various economic development proposals being considered for Strategy 21, and/or any other funding proposals.

Mr. Ferlo moved to adopt the resolution.

Mr. Milliones seconded the motion.

Which motion prevailed.

Mr. Ferlo:

Mr. President, as you know, you joined, as well as all Councilmembers, in co-sponsoring this resolution. I think it indicates that this project is not just parochial to Lawrenceville, although it would have a tremendous impact to all the important work that the LDC and the other neighborhood groups are working on.

This is a very exciting project. It's being referred to more as an economic development project, but it has many side benefits and we would like this to be considered along with many of the other neighborhood-based development initiatives as part of our City's request for Strategy 21 funding.

I would ask that with the support of Council that we mail this resolution to the appropriate State Legislators from Allegheny County.

At this time I'd like to have a comment or two from Susan Nesball from the American Wind Symphony Orchestra, and Nancy Noszka who is no stranger in these Chambers from the Lawrenceville Development Corporation.

Ms. Nesball:

Thank you, Councilman Ferlo and Council President Wagner and all Councilmembers here today, and also the Councilpeople who were kind enough and had the time in their schedules to visit with us last week to learn more about this project.

As the Councilman read in the resolution this morning, we're very exciting about the opportunity to contribute to the economic redevelopment of the Lawrenceville area and to the City of Pittsburgh.

The Orchestra has been traveling internationally for the last several years helping to promote the City of Pittsburgh and the State of Pennsylvania and we are looking forward to resuming our concerts here in Pittsburgh in 1993.

This is an exciting project for the City of Pittsburgh which we hope will help to further the international attention which has been brought to the City in recent years, and we'd like to thank you again.

Ms. Noszka:

I think it has been three years that I've been appearing before Council for various things and I guess it was last year that I finally got somewhere with Doughboy Square.

If you ride down Penn Avenue now, and you can see by my dress I'm literally in the mud, we have under construction six units. We have two buyers we've located from outside the City of Pittsburgh who have moved into the City, and I think that's a success.

We are very, very close to getting the bank renovated. September of last year I brought the purchase price of \$250,000 from the owner down to \$130,000. We now own that bank.

Between the City, the URA and the LDC, we've acquired a good portion of Doughboy Square and now is not to the time to quit.

This firehouse has been occupied by the City, it's owned by the URA, it is a historic structure and it is an economic development project, not only for Lawrenceville but for the City of Pittsburgh, again, and we're happy to see that Lawrenceville is progressing and we ask for your support in Strategy 21. Thank you.

The Chair:

If I may add, Mr. Ferlo, to the resolution, the American Wind Symphony that I like to refer to as the Pittsburgh Wind Symphony, we're pleased that it's coming back to Pittsburgh after its worldwide tour. And the idea that has been put forth and the actions by the LDC in Lawrenceville recently, this could be a catalyst to total development in that area around the Doughboy that we have seen in a dilapidated state for the last couple of decades.

So, whatever support we can give to that project, and we would urge cooperative support with the Administration to make that all happen, is only positive for Lawrenceville and for the City of Pittsburgh.

Pretty soon we'll see that silver barge back on the Pittsburgh rivers. I understand it's en route right now from points in Florida and hopefully within a couple of weeks that will be back and we'll see this development move forward soon. Thank you.

Mr. Milliones:

May I ask the members of the Chi Eta Phi Sorority to come forward, please? It seems like this is Nursing Week or Nursing Day.

Mr. Milliones presents

No. 728 WHEREAS, Chi Eta Phi Sorority, a national sorority for professional nurses, approved a new chapter, the Kappa Chapter in Pittsburgh, Pennsylvania on May 1, 1949, which became the tenth in the history of this national organization. The first initiation into this chapter was performed by Soror Hortense Johnson, the National Organizer, who bonded eleven women into this wonderful sisterhood; and

WHEREAS, members of Chi Eta Phi Sorority strive diligently to fulfill their purpose, they actively participate and serve on committees of various nursing associations, Boards of Directors and health agencies. They also collaborate with other professional groups for the improvements and delivery of health care services; and

WHEREAS, the Kappa Chapter of Chi Eta Phi awards scholarships to deserving students entering nursing schools and has presented 65 such scholarships since 1952. It systematically and generously contributes to the National Scholarship Fund and the Nursing Recruitment Coalition. In addition, Chi Eta Phi provides financial support to NEED (Negro Education Emergency Drive) the National Council of Negro Women, the NAACP, the United Negro College Fund, and the Lemington Home for the Aged; and

WHEREAS, these women serve as mentors to nursing students affiliated with the Nurses Recruitment Coalition; they also provide ongoing leadership for Kappa Beta, the Undergraduate Chapter of Chi Eta Phi, organized at the University of Pittsburgh in 1984.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh honors the Pittsburgh Chapter of Chi

Eta Phi Sorority on its 43rd Anniversary for its contributions to health care services, financial support to viable organizations, recognizing that "there is still much to be accomplished" and that it will continue to respond to its theme, "Mentoring: A Lifetime Commitment".

Mr. Milliones moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. Milliones:

Thank you. I'd like to call Ms. Esther Falks to have a few words to say in regards to the resolution.

Ms. Falks:

Thank you, Councilman Milliones and Members of City Council.

Our regional convention is here this weekend, from the 23rd to the 26th of April, at the Hilton Hotel. On Friday we will have an open meeting at 7:30 in the evening and we are inviting Members of Council to be there.

We are very proud of our organization and we have a lot of service to humanity. We work with the American Cancer Society, the American Heart Association.

As I said, thank you again.

Mr. Onorato presents

No. 729 WHEREAS, on Wednesday, the 22nd of April, 1992, the Pittsburgh City Police Department will honor thirty-six individuals who will retire from the City Police Force; and

WHEREAS, the retiring men and women have served bravely throughout their careers by maintaining the safety of our City and recognizing that the life and liberty of its citizens is the primary area of responsibility; and

WHEREAS, crime rate and service call rates have steadily increased, but the members of Pittsburgh's Police Force challenge themselves to perform their duties with knowledge and pride; and

WHEREAS, the City of Pittsburgh draws many visitors into our area each year for our many social, cultural and sports events, and our City Police Officers are called upon to maintain the peace and dignity at these events, so we also recognize these fine men and women as Goodwill Ambassadors.

WHEREAS, the 24th Annual Retirement Party marks one of the FOP's top events of the year and highlights good fellowship and fraternalism at its best.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh joins with the citizens of Pittsburgh in recognizing and saluting Darlene Brazier, William M. Duff, Thomas L. Gehring, Terry Lee Hediger, Richard P. Liscio, Homer L. Michael, Joseph G. Stotemyer, Arthur A. Williams, Daniel A. Butler, William J. Ferri, William J. Giles, Harry E. Jenkins, Robert McGuinness, Donald E. Rietzel, Joseph C. Tysarczyk, Jr., Alfred F. Yobbi, Darlene M. Costa, Joyce A. Gehring, William W. Hardy, Pierce Joiner, Jr., Ralph L. McMillan, Thomas B. Session, Jr., William J. Wiesenfeld, Robert M. Caldwell, John D. Kane, John R. O'Keefe, Joseph Scarpino, Ralph R. Zumpano, Jr., Milford P. Craig, Carl A. Lisivick, Samuel Peluso, Edward P. Shaw, Jr., James L. Hays, John C. Manuel, Leonard E. Salac, Jr. and Robert W. Smolensky, who are honored and recognized for their distinguished

and sincere dedication.

Mr. Onorato moved to adopt the resolution.

Mr. Ricciardi seconded the motion.

Which motion prevailed.

Speaker:

Councilman Onorato and Members of Council, I want to thank you for this resolution honoring our retirees.

We have an annual affair from April to April and these are the people that are being retired that are honored.

I want to have our Chairman of the affair say a few words. Thank you very much.

Speaker:

It's been an honor for me to be the Chairman of this affair for approximately the last six years. I appreciate Council's support since I've been the Chairman helping me and the Fraternal Order of Police honor those police officers that do the day to day cleaning up in the City. Sometimes they receive little recognition and this pat on the back helps. Thank you.

Mr. Onorato:

Before I read this next resolution, I just want to comment that yesterday we had a ceremony at the Brighton Heights Build where we put up the plaque and we recognized the Cameleus Sanguigni Field in his honor which, ironically, his father also had a field on the North Side some 30 or 40 years ago in a different location.

If anybody from the family is here today, I don't see them, but we had a large crowd

yesterday for the ceremony.

Mr. Onorato presents

No. 730 WHEREAS, Cameleus F. Sanguigni, known to his friends as "Camil", was born June 24, 1909 to Alexander and Anna Genmartini Sanguigni, the fourth son in a family of nine children; and

WHEREAS, Cameleus F. Sanguigni attended Oliver High School, and despite the fact that he did not graduate, was successful as a self-made businessman working for his family's business, A. Sanguigni & Sons, Co. which was owned by his father, in addition to Packard North Side Inc., and Camille Floral and Gift Shoppe; and

WHEREAS, Cameleus F. Sanguigni married Phyllis Colangelo on September 9, 1930 and together raised a family of five children; and

WHEREAS, the Little League Field off of Charles Street was dedicated to Alexander D. Sanguigni, Cameleus' father, in 1953 due largely to Cameleus' efforts to preserve his father's memory; and

WHEREAS, one million tons of dirt was provided by Mr. Sanguigni's contracting company and was used to fill in a deep ravine, turning the ravine into a play area and ball field located at 1001 Benton Avenue; and

WHEREAS, according to an article which appeared in the Pittsburgh Post Gazette on Wednesday, May 13, 1959 when residents suggested that the new field be named after Mr. Sanguigni, he turned down the suggestion and stated that the field should be named the "John Merry Field" in memory of a 17 year old North Side youth who had been killed in an accident when he was struck by a baseball bat; and

WHEREAS, Cameleus F. Sanguigni contributed much to the youth of the North Side through is sponsorship and purchasing of equipment for many Little League teams, girls' slow pitch softball teams, bowling teams and many others; and

WHEREAS, as the President of the Kiwanis Club in 1960, Cameleus F. Sanguigni was awarded the Outstanding Membership Plaque for increasing the membership of the club more than any other Kiwanis President, and Mr. Sanguigni was also one of the originators of the idea to honor outstanding young athletes in the community; and

WHEREAS, Cameleus F. Sanguigni, who died on September 12, 1965, was a true humanitarian who donated his time, money, and energy to making the North Side a better place and who affected all he came in contact with.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh recognizes the achievements of Cameleus F. Sanguigni and dedicates Brighton Heights Park, Field #6, to his memory, this 20th day of April, 1992. I hereby pronounce this field as the Cameleus F. Sanguigni Field.

Mr. Onorato moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Darkins presented

No. 708 Resolution providing for transfer of funds totalling \$75,000.00 (seventy-five thousand dollars) to Premium Pay, Code Account 1160-1, from Equipment, Code Account 1175, all accounts within the Department of Environmental Services. This transfer is necessary to continue to cover the cost

of overtime until the end of the year.

Which was read and referred to the Committee on Finance.

Mr. Darkins moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Onorato seconded the motion.

Which motion prevailed.

Also,

No. 709 Resolution vacating Mt. Hope Road in the 27th Ward, Council District #1, City of Pittsburgh. The petitioner, Linda R. Units, 3128 California Avenue, (15211), has requested this vacation to clear the title of her property. The Department of Finance is recommending a fee of \$200.00 be charged for the vacation.

Which was read and referred to the Committee on Public Works.

Mr. Milliones presented

No. 710 Resolution authorizing the Mayor and the Director of Finance, on behalf of the City of Pittsburgh to lease to the American Waterways Wind Orchestra, two hundred (200) lineal feet of wharf frontage on the Allegheny River near the foot of the 6th Street Bridge, for a term of one year, subject to a ninety (90) day cancellation clause with year-to-year renewal provisions, at a rental of One Dollar (\$1.00) per year and providing for certain terms and conditions."

Which was read and referred to the Committee on Finance.

Mr. Milliones moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Cohen seconded the motion.

Which motion prevailed.

Also,

No. 711 Resolution amending Resolution 556 of 1990 as amended entitled: "Resolution providing for an agreement or agreements with William M. Mercer and Company to provide actuarial services in connection with the pension plans of the City and labor negotiation costing in an amount not to exceed \$100,000.00 per year, for a period of three years, subject to annual budget appropriations," by increasing the cost and adding to the scope of service. The proposed amendment would increase the amount authorized by \$100,000.00 for 1992. The additional funds would be used for benefit costing and cost containment analysis of the City's health and welfare benefit programs, in an effort to reduce the overall cost of employee benefits. The additional funds are available in Code Account 45 Health Insurance-Municipal Employee, Department of Finance.

Also,

No. 712 Resolution providing for the issuance of a warrant in the sum of \$6,250.00 to the Estate of Franklin B. Heemer and David C. Martin, Jr., Esquire, 2006 Noble Street, Pittsburgh, PA 15218 in full and final settlement of alleged personal injuries by a City police canine on or about November 9, 1987, payable from Code Account No. 46, Judgments.

Also,

No. 713 Resolution providing for the issuance of a warrant in the sum of \$3,250.00 to Doris Fontana and Francis Carey, Esquire, 3303 Grant Building, Pittsburgh, PA 15219 in full and final settlement of an alleged accident at Parkway Center Drive and Greentree Road on or about January 29, 1985, payable from Code Account No. 46, Judgments.

Which were severally read and referred to the Committee on Finance.

Mr. Onorato presented

No. 714 Resolution providing for the issuance of a warrant in favor of St. Margaret's Hospital, 815 Freeport Road, Pittsburgh, PA 15215 Division of Occupational Health in the amount of \$1,980.00 in payment for Hazmat/River Rescue physical examinations conducted on all specialty team members, chargeable to and payable from Code Account 1421, Misc. Services, Bureau of Emergency Medical Services, Department of Public Safety.

Also,

No. 715 Resolution authorizing the transfer of \$625,000.00 from Code Account 1420-1, Premium Pay to the Emergency Medical Services Trust Fund (E.M.S.T.F.), Bureau of Emergency Medical Services, Department of Public Safety. This transfer is necessary due to the fact that Premium Pay for paramedics was budgeted through Code Account 1420-1 in 1992, but was inadvertently taken from E.M.S.T.F.

Which were read and referred to the Committee on Finance.

Mr. Ricciardi presented

No. 716 An Ordinance amending Ordinance No. 2 of 1991, approved January 28, 1992, by amending the Pittsburgh Code, Title

One --Administrative, Article XI, Code of Conduct, Chapter 197.08, by adding the definition of contractor. ---**(SPONSORED BY MR. RICCIARDI)**

Also,

No. 717 An Ordinance supplementing the Pittsburgh Code, Title One - Administrative, Article VII - Procedures, Chapter 161, Contracts, Section 161.16, Required Provisions in Contracts, by adding provisions to subsection (e) to require contractors/consultants to comply with Chapter 197.08 of the Pittsburgh Code. ---**(SPONSORED BY MR. RICCIARDI)**

Which were read and referred to the Committee on Finance.

The Chair presented

No. 718 Communication from Tom Flaherty, City Controller, submitting the Fiscal Audit of the Bureau of Building Inspection, Department of Public Safety of March 1992.

Which was read, received and filed.

UNFINISHED BUSINESS

Mr. Ferlo:

Mr. President, a couple of weeks ago I had introduced a change in the resolution regarding the retirees trust fund for police, fire and municipal pensioners. It's proposing to change the formula as pursuant to a resolution that we adopted as part of the budget, whereby a task force made up of Council representatives, representatives of the employee groups and the Administration would meet.

In light of the fact that I have submitted a resolution and it comes back up on table at a

Wednesday session two or three weeks from now, I would strongly ask that the Council President help facilitate the formation of this task force prior to Council debating the resolution that I have submitted.

The Chair:

I will do that but I need a little bit more input prior to doing it. I'm more than receptive to doing it.

Mr. Ferlo:

Thank you.

Mr. Ricciardi:

Will a public hearing be held on that bill, Mr. Ferlo?

Mr. Ferlo:

I didn't specifically make that as part of my motion.

Mr. Ricciardi:

Thank you.

REPORTS OF COMMITTEES

Mr. Milliones presented

Bill No. 719

Report of the Committee on Finance for April 15, 1992 transmitting two ordinances and sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 128

An Ordinance entitled, "An Ordinance supplementing the Pittsburgh Code, Title One - Administrative, Article III - Organization, by adding Chapter 140 - Department of Aging."

---(SPONSORED BY MICHELLE MADOFF)

Which was read.

Michelle Madoff:

Mr. President and Members of Council, we have in the audience today Joe Lucas, Ray Glatz, Clarence Coblash, Myrtle Tarten and Bessie Foster who are here from the Senior Advisory Council. These people are representative of the hundreds of people in the senior programs who have come before Council two years running, pleading with us to create a Department of Aging.

For clarification, no bill is perfect but what we did was take the senior citizen program, rename it Department of Aging. Those dollars allocated from the State for the existing programs would remain, and the equipment, the desks and so on, would remain with the program but would now be called the Department of Aging.

But, in order to make it happen, the Mayor took verbatim the words that we used, and that's wonderful, I congratulate her on it, and just rename the programs. I don't even want to call them by names because it's very confusing. The Department of Aging, the Association of Aging; it doesn't matter. There is now a Department of Aging, whatever it's going to be called.

And, in the instigation, and I must thank the President of Council, we put aside \$50,000 so we could hire someone to review the needs of bringing the senior program into the 21st century. People are living longer and staying younger and

their needs are different.

What the Administration and this Council both agree is that we need to find somebody to start to look at what needs to happen. And the only way it will happen is if we start.

I don't want to put this back into the budget process next year because it will be back in the same game plan.

Now, the Administration wants to hire somebody for \$40,000. That would come under Bill 319 which we'll get to later in the Committee on Parks and Recreation.

What I am very concerned about, and I'm writing a letter to the Administration and I hope I have the support of my colleagues, is that this Senior Advocacy Council has come before us representing the needs of the seniors, would be and serve as part of the Search Committee to find the appropriate person. And the Selection Committee. And the Councilmembers would also do that. And the Administration would do that.

It would be up to this Council to do an oversight, maybe quarterly, to have a report come to us from the person who is hired and tell us what they're doing.

And, hopefully, in an orderly fashion, over a period of time, having at least got started, the programs will begin to change and will take on the direction of what is needed in the upcoming century.

I hope that there is no confusion other than to tell you that the only thing that changes is 15 hours of supervision of the present administrator of the program. The pre-school and Therapeutic Recreation Program for handicapped would have to be picked up in

another division. Nothing else changes. It's only the supervision. The staff people still remain in those programs. We're not diminishing any programs, but we're saying that we have a commitment to having an independent senior citizen program and a Director to start to look at what will happen.

And for clarification so there's no confusion, we're looking to the private sector for private-public partnerships to fund anything else that is not funded presently under the State allocated dollars. And we've outlined what those things would be, but just to reiterate, the services would include but not be limited to health screening, tax assistance, money management, legal advice which could be provided through a public-private partnership with local universities and corporations.

At a recent meeting with City Council, the new President of Pitt, Dr. Dennis O'Connor, indicated, as you know, a willingness to pursue this course of action. Private dollars from companies who seek the business of seniors might be solicited to help fund additional creative innovative programs so that the Department of Aging will not seek additional funds from tax revenues.

We are not asking for more money. It is just this little allocation that falls under 319 which would allow us to get started. If we don't start, nothing will happen. And as we go along, we will work together to see that the needs are met.

Again, I would hope that Mr. O'Connor would perhaps be on the Search Committee. The bills would still come out of his department because somebody has to sponsor the bill to Council, and that he would work as an oversight person to see, as will all Councilmembers, that finally the seniors will get into the 21st century. And with that, I ask you to vote for it.

Mr. Ferlo:

On Bill 128, I think we need to be clear about exactly what we're doing here because I don't want people calling me up saying that they're confused about our actions regarding the Department of Aging.

I voted in the beginning for the Department of Aging because I believed it was the right thing to do, as presented by Councilwoman Michelle Madoff, working with the advocates, some of whom she has indicated are here in the audience today.

But I don't want to lead anybody astray. It seems to me that in voting for both bills, that's directly contradictory. On one hand, we're saying we're parading this department, including in the initial bill for the Department of Aging, suggesting organizationally that all these rights and duties and responsibilities and contracts, etc., are going to be transferred to this department when we know, in fact, that that is not going to happen.

So, if we want to engage in politics, then we're going to vote for both, and fine.

But in terms of what the reality is, the reality is, if we vote yes on both bills, the net result of voting for both bills will be one thing, and that is that the Administration will move ahead and create what it proposed to be the Pittsburgh Council on Aging. They were proposed to spend up to the \$50,000 allocated, and I believe that includes the hiring of an outside person who will begin to facilitate the development of the Pittsburgh Council on Aging.

As I read both bills, everything that the Mayor sent back to Council regarding the formation of the Pittsburgh Council on Aging includes every single activity and objective that is listed in the initial Bill 128 on the Department of

Aging.

Probably, from a legal point of view, the organizational budget items that are listed in the initial Department of Aging Bill 128 are probably just going to be unilaterally ignored or vetoed by the Administration and I don't know what we can do with that. I would hope that come budget time at the end of the year, we would once again try to reconstruct the Parks budget so that it actually reflects this intended creation of this PCOA or the Department of Aging or whatever.

But so far, I feel like we stayed up all night to cook the turkey dinner and when it comes down to dinner time we're putting bologna on the plate. And I don't want to do that. I think we should be clear and not give anybody in this room or anybody listening any illusion about what's happening.

The Administration did not support the creation of the Department of Aging. That's on them. I would encourage advocates who are concerned about this and supportive of Bill 128 to continue to advocate to the Mayor and to the Administration.

So, in voting aye on both bills today, the net effect only from what I can see, unless you can explain to me otherwise, is to move ahead with the creation of the Pittsburgh Council on Aging and the hiring by the Administration. And the Council has no direct input to the hiring but I'm sure they'll listen to some recommendations from Councilmembers.

But let's be clear on what we're doing and not give anybody a bill of goods here.

Michelle Madoff:

In essence, I can't disagree with Mr. Ferlo other than to say that the Administration has assured me, and I have to at least give them ■

chance to act in good faith. They've actually paraphrased everything that I've put in. And I guess when you say you're going to hire somebody, you have to tell them what they're going to do which certainly replicates what the program has, that's why they both say the same thing. And the only way we're going to find out and get something to happen is to do it. Let's get started and then we can ride herd on the program. If we don't start, nothing is going to happen. We'll be back in budget next year saying, "Why don't we do it?"

Mr. Ferlo:

My only concern again is that nobody has any illusions. In voting, even if we vote unanimously for Bill 128, it's not going to come about and there will be no so-call Department of Aging.

What will happen as a result of the voting today will be an authorization given to the Mayor and the Administration to hire a consultant or consultants in an amount not to exceed \$50,000. Presumably it's for moving hat on the creation of what they have referred to in writing to Council and to the public as the Pittsburgh Council on Aging.

So, I just don't want anybody to be confused following the meeting today.

Michelle Madoff:

I'm willing, Mr. Chairman, to give the Administration the benefit of the doubt to act in good faith.

I grant you that Mr. Ferlo is right. The Administration was dragged kicking and screaming into this issue. Their concern was the economy of the community, that we just didn't have money to duplicate or to do another program that might involve outside financing.

We've covered that by saying that that would be covered from the private-public sector and that is what's being done in other cities.

We sent a delegation of people, Mr. Ricciardi went along, to Baltimore. We have an idea of what we want to do, what we want to change. And they do raise their money in the private sector, much of it. We need to do the same thing.

If Mr. Ferlo feels very strongly by the time we get to budget hearings, if nothing is happening with the Administration and he wants to appropriate more dollars other than what is already - and there's substantive dollars, \$730,000 that comes to us from the State as a conduit from the Federal government - I welcome any support we can get.

I ask those who really care and are concerned to come to the quarterly updates because I can tell you right now that Joe Lucas will be there with his people making sure that something does happen.

The Chair:

I think we should call the question and, truly, I think we have gotten the horse out of the starting gate on the issue, and I compliment Councilwoman Madoff for initiating that. And I'm sure all of Council, including Councilwoman Madoff and Mr. O'Connor, will oversee the development of that department.

Also,

Bill No. 520

An Ordinance entitled, "An Ordinance directing the Allegheny County Board of Elections to place before the qualified voters of the City of Pittsburgh a referendum question which would amend Section 223 of the Home Rule Charter -

Appointment and Term of Magistrates."
—(SPONSORED BY MR. COHEN)
(AS AMENDED IN COMMITTEE)

Which was read.

Mr. Cohen:

Mr. President, I'd like to move to amend Bill 520 which is the bill to amend the Home Rule Charter to correct the problem of at-will magistrates.

This is a technical amendment which adds four words. The words, "nominate a person to", and I think each Councilmember has it before you. My apologies for not being able to discuss this with Councilmembers beforehand, but this is a technical amendment and I think you immediately see what it does. But it more accurately describes the process.

The bill that we passed on Wednesday just says that if the Mayor fails to fill a City Magistrate's position, technically, it should be it fails to nominate a person, of course, because the Mayor nominates and Council confirms.

Michelle Madoff seconded the motion.

Mr. Cohen:

What this does is add the words "to nominate a person to fill". That more accurately describes the process.

And it also brings the bill in line with Section 322 of the Home Rule Charter which discusses vacancies on authorities, boards and commissions. That also says, if the Mayor fails to nominate a person to fulfill that position.

The Chair:

All those in favor of the amendment?

Opposed?

WHICH MOTION PREVAILED.

Mr. Ferlo:

On that bill, I did ask for a legal opinion regarding the issue of the State statute and also the term limitation. I didn't receive a legal opinion; I don't know if the Clerk did.

I'm going to vote for the bill but I just wanted to point out that I would still like the legal opinion.

Mr. Cohen:

I agree. I would like to see it too. I think we've asked for it and we haven't gotten it yet.

The Chair:

Is it your desire to vote on it?

Mr. Cohen:

Yes.

Also,

Bill No. 534

A Resolution entitled, "Resolution providing for conveyance by the City of Pittsburgh of certain property, under Act No. 171 of 1984, entitled, 'Second Class City Treasurer Sale and Collection Act', effective December 11, 1984."

Which was read.

Also,

Bill No. 609

A Resolution entitled, "Resolution transferring

the sum of \$75,000.00 from Code Account 1977, Index Code (197707), Utilities, Department of Water, to Code Account 1976, Index Code (197608), Materials, Purification & Pumping Division, Department of Water."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Millions	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 615

A Resolution entitled, "Resolution providing for the issuance of a warrant to Mary Gratkowski, Steve Verbanets, Shirley Deasy, Tony Eaves, Mary A. Hayes, Bechara Mejalli, James T. Deighan, Thomas J. Reddy and Stanley M. Stein, Esquire, their lawyer, in the amount of \$160,000.00 in full settlement of their claims for losses as a result of the termination of their employment from the office of the City Controller on December 31, 1986."

Which was read.

Also,

Bill No. 616

A Resolution entitled, "Resolution providing for the issuance of a warrant in the sum of \$22,500 to Victoria Coppler c/o Robert Rade Stone, Esquire, 1900 Law and Finance Building, Pittsburgh, PA 15219 in full and final settlement of an alleged accident involving a City vehicle and Ms. Coppler's vehicle on Penn Avenue at or near Penn Circle in the City of Pittsburgh on or about December 9, 1987."

Which was read.

Mr. Milliones:

Mr. President, I move that the effective date on Bill 616 be the date on which it is signed by the Mayor.

Michelle Madoff seconded the motion.

WHICH MOTION PREVAILED.

Also,

Bill No. 617

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of the Commonwealth of Pennsylvania to refund a reimbursement received from Computer Tech for a tuition refund which affects the closed fiscal year ending June 30, 1991."

Which was read.

Also,

Bill No. 618

A Resolution entitled, "Resolution providing for the issuance of a \$2,135.54 warrant in favor of Alice Whitfield and Muncy Wilbern for property damage."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 9

NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 676

A Resolution entitled, "Resolution carrying over balances or portions thereof remaining in certain code accounts for the year 1991 to the same or to other Code Accounts for the year 1992."
---(SPONSORED BY MR. MILLIONES)

Which was read.

Also,

Bill No. 688

A Resolution entitled, "Resolution transferring the amount of \$1,839.21 from Code Account 1001-2 (100123), District #3, Salaries & Wages As Needed, to Code Account 1001-1 (100115), Miscellaneous Service, Supplies, Equipment, etc., City Council."

---(SPONSORED BY MR. RICCIARDI)

Which was read.

The Chair: ..

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Darkins presented

Bill No. 720

Report of the Committee on Public Works for April 15, 1992 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 603

A Resolution entitled, "Resolution authorizing the Director of the Department of Public Works to grant an encroachment permit to Kenneth and Diane Baldinger, for a fence encroachment on a portion of the right of way of a 10' foot way in the 32nd Ward, 4th Council District of the City of Pittsburgh."

Which was read.

Also,

Bill No. 604

A Resolution entitled, "Resolution amending Resolution No. 334, effective May 5, 1988, entitled 'Providing for a Contract or Contracts, or the use of existing Contracts, for concrete slab replacement at various locations within the City of Pittsburgh and providing for the payment of the cost thereof,' by decreasing the total project allocation by \$26,902.61 from \$150,000.00 to \$123,097.39."

Which was read.

Also,

Bill No. 605

A Resolution entitled, "Resolution Repealing Resolution No. 380, effective May 5, 1989, entitled 'Providing for a Contract or Contracts, or the use of existing Contracts, for furnishing, installing, removing and relocating certain electrical equipment necessary for Street Lighting in the City of Pittsburgh and providing for the payment of the cost thereof.'"

Which was read.

Mr. Ferio:

Mr. President, I'd like my comments
brought forward on Bills 604 and 605.

(REMARKS ON FOLLOWING PAGES)

(MR. FERLO'S COMMENTS ON BILL NO. 604-Wednesday, April 15, 1992)

Mr. Ferlo:

Director and Mr. Tiglio, with all the need for concrete slab replacement around the city, why didn't we fulfill all the expenditures?

Mr. Walluk:

This is a request from the Planning Department to close-out an account and transfer money around. It is not suggesting that we are not going to do any additional work, just that these particular funds, I believe -- I am not sure if they are capital or community development funds -- in order to close that that account out for 1988 they have to reflect this transfer.

Mr. Ferlo:

Are you saying this is unencumbered fund balance for a CD account?

Mr. Walluk:

I think so.

Mr. Ferlo:

Is Director Downing available?

The Chair:

Director Downing.

Mr. Ferlo:

Director, what kind of switch and bait are you pulling here? What is this?

Ms. Downing:

This is a normal procedure that when a contract has been awarded and completed, sometimes the entire code account is not spent, and they liquidate the account.

Mr. Ferlo:

Is this a capital account or CD?

Ms. Downing:

It is a capital account paid for through the CD budget.

Mr. Ferlo:

Right. But it goes back to what we repeatedly request. We continually ask the department to give us a list of unencumbered fund balances.

Ms. Downing:

Which we do once a year.

Mr. Ferlo:

I never saw this amount. This is like money all the sudden we found. Where is this money being directed to?

Ms. Downing:

It will go back into an account that is the center --

Mr. Ferlo:

It should come back to Council for us to decide how it should be spent.

Ms. Downing:

It will be allocated in a normal budget process where we identify all of the unencumbered balances like this. I mean, this isn't the only one. In most contracts we are talking a question of \$20.00, \$100.00. I think there are a whole lot of miscellaneous accounts that essentially close out contracts that have already been completed.

Mr. Ferlo:

I have no problem with that.

There are two problems here: One, I am glad to see you finally are clearing out an unencumbered fund balance and freeing up the money for the discretion of Council and the Administration to reallocate; two, I am disappointed that we don't use all of our money.

Concrete slab replacement, anybody who drives down the street in this city knows that we can spend every single penny in relation to concrete slab replacement. \$29,000.00 could have done another 60 or 80 feet or 120 feet. We should have utilized all the contract that we had targeted for that year. So when we fund a concrete slab replacement program this year for \$150,000.00, whatever the amount is, I am sure many Council

members would like to see all those dollars expended.

Are we going to have the same fund balances in the appropriation we gave you this year?

Mr. Tiglio:

There won't be any balance this year.

Mr. Ferlo:

All right. Fix the roads.

(End of remarks)

(Transcribed by Helen L. Kriebel)

(MESSRS. FERLO & COHEN'S COMMENTS ON BILL NO. 605)
(April 15, 1992)

Mr. Ferlo:

Second for discussion. Same problem. We allocated these moneys, we were led to believe that we were going to finally resolve some of these series lighting with Duquesne Light. What is happening?

Mr. Walluk:

Again, the Planning Department is trying to clean up its books. This is an account that sat around since 1989.

Mr. Ferlo:

\$100,000.00?

Mr. Walluk:

Yes.

Mr. Ferlo:

It must be nice.

Mr. Walluk:

Well, except that in order to do all the work on streetlighting, you need about \$1.5 million. You just can throw \$100,000.00 at it, because it will not solve that one little problem. We have to do the whole series. Each one of these streets that have all the problems are multi thousands and thousands of dollars worth of work.

Mr. Ferlo:

I thought the original intent of this legislation when it was approved, the original commitment made by the Administration, was to negotiate with Duquesne Light some type of payment where they would kick in and we would kick in and we would resolve the series lighting problem. And I believe the discussion had to do with the Panther Hollow Bridge area for Schenley Park, as well as the streetlighting on Bigelow coming down from Herron. It basically means we are shelving --

Mr. Tiglio:

They are still discussing a combination of funds, trying to get Duquesne Light to participate. We are having a problem with Duquesne Light.

Mr. Ferlo:

I will close. My only point is if we approve this now, the Administration has no incentive and no ability to keep negotiating, because now we are taking these moneys. Where will these moneys go?

Mr. Walluk:

I don't want to pull Jane back, but again, it is a re-allocation of funds. We are trying to identify ways of coming up with not \$100,000.00, but \$1.4 million.

Mr. Ferlo:

Where are the funds being re-allocated to?

Mr. Walluk:

I will have to defer to Planning again.

Mr. Ferlo:

Director Downing, do you know where these funds will be re-allocated? You always manage to find money in some place. Now we have another \$100,000.00. Is this going to go to Federal North? Is it going to go to fix McArdle Roadway?

Ms. Downing:

I think we don't have an answer to that. The departments are cleaning out the accounts. We are trying to get this information together in terms of what funding has not been used.

Mr. Ferlo:

I didn't just fall out of a tree, Director. You clear out money in unencumbered fund balances to allocate them through other projects. To your credit. You will not spend something you can't use, I am glad to see you allocate it. Council is the legislative branch, we approved the CD grant, and I would like to know what you are spending it on.

Ms. Downing:

I am saying we do not have a proposal to use these funds on at this time.

Mr. Ferlo:

Then I would --

Ms. Downing:

I am trying to explain this project where each department -- there are eight departments that get CD funding. We have asked all of them to clean out their old accounts so there will be a number that will be coming, and we will at a certain point say --

Mr. Perlo:

Very good. I would like to close by asking the Finance Chairman, Mr. Milliones, and our Council President, Mr. Wagner, to look at this appropriation and come back to Council with a process for us to decide how it should be allocated. I think any one of us have a bunch of important projects.

The Chair:

I will be glad to do so.

(Deleted text.)

Mr. Cohen:

Director, I am still unclear as to what gave rise to this. What was the impetus for this? Was there an executive decision out of the Mayor's office for all the departments to clean out their unencumbered accounts?

Ms. Downing:

HUD holds us accountable for spending all prior grants. There is a ratio that we are supposed to be meeting in terms of expenditure CD funds. All CD funds are HUD funding. Once a year at this time we ask all departments to go back and to evaluate all of the accounts they have with CD funding past years to see whether, in fact, they have spent all their money. If there are any projects that have finished, the contracts are closed, we then ask them to unencumber the funding. So this is a process we have been doing for I guess four or five.

Mr. Cohen:

Very briefly, give me if you could a global picture of how much money do you think will result from that decision to clean out those accounts? This is just one line item in Public Works, an important one, but how much money -- how much money have you gotten from the departments, all the departments?

Ms. Downing:

It varies year to year. It seems to me it is in the

\$100,000.00 to \$150,000.00 from all the departments.

Mr. Cohen:

This is \$100,00.00 right here.

Ms. Downing:

Most of the line items are spent almost up to the penny. As I say, we end up with these piddly little amounts normally. I don't know the history of this particular account in terms of why it hasn't been funded, except that when we did the complete streetlighting program, the way it was financed, we didn't need bond financing or CD funding anymore.

Mr. Cohen:

Okay. What I would like, Director, is a memo to this Council laying out all those piddly amounts so we can add them up -- I have a feeling it might add up to something more than a piddly amount -- to start a process of deciding what to do with that money. Council has to be part of that process. So I would like to know how much all together is available. Okay?

(Deleted text.)

Mr. Ferlo:

I will close. I don't want it to go to some other CD eligible neighborhood group, I want it to go to some other major infrastructure projects that we have in E&C or in Public Works. I would like to know that it be redirected.

(End of remarks)

(Transcribed by Helen L. Kriebel)

Mr. Ferlo:

On Bills 604 and 605, the net effect of what we're doing is we're freeing up an unencumbered fund balance of \$26,902, and on the second bill we're basically saying that we cannot succeed in resolving the series lighting problem which is the lighting overhead along the Schenley Park area as well as along Bigelow Boulevard. So, I'm disappointed in hearing that.

It does free up money and I think it's important to note that Council should be involved in how those dollars are reallocated.

I think your point was well taken and that is the Concrete Slab Replacement Program is an important program. It benefits all City neighborhoods. Anybody who travels along City streets, especially those residential neighborhoods and business corridors where concrete slab is the norm there, it's obvious that there's a problem. And I would hope that the Administration, as you had suggested, would just reallocate those dollars back to this year's program.

But there should never be a fund balance in that program. I'm disappointed that there's even a fund balance of the \$26,900. Every year the Public Works Department should be able to spend easily all of the money under the Concrete Slab Replacement Program.

Also,

Bill No. 606

A Resolution entitled, "Resolution providing for a Contract or Contracts, or the use of existing Contracts, for the rental of equipment in connection with the City of Pittsburgh's Asphalt Plant, and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 607

A Resolution entitled, "Resolution providing for a Contract or Contracts, or the use of existing Contracts, for crack sealing, micro surfacing, cold in place recycling, sawing and sealing and asphalt testing, and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 608

A Resolution entitled, "Resolution providing for a Contract or Contracts, or the use of existing Contracts, authorizing the resurfacing of various

city streets and park roads with bituminous materials, including asphalt milling, planing, regrading recurbing and other work incidental thereto; and providing for the payment of the cost thereof."

Which was read.

Mr. Ferlo:

On Bills 607 and 608 regarding the asphalt program to regrade, repave the various City streets, I just want to clarify this. I think this could be done by adding to the work crews already experienced in Public Works and at the Asphalt Plant during the April through September period of time. I think we could do more streets and do them in a better fashion by actually replacing the asphalt, which we produce. We have one of the most modern asphalt producing plants in the country. I see no reason with the equipment investment that we already have why we can't hire out of the union hall, hire from the community of unemployed people, beef up the work crews from April to September, and actually repave the streets. This is going to spend \$2 million doing cosmetic window dressing on City streets, whatever the motivation is.

So, my voting no on Bill 607 and 608 is not voting no against the Administration for doing something. God bless them. My objection is that they're doing a half-assed job. They're going to do a cosmetic painting of the streets around this City when they should be beefing up the work crews, they should replace the asphalt with the asphalt that we have, not doing macro-sealing, crack sealing, in-place recycling, sawing and sealing. That's all a bunch of baloney and that's why I'm voting no. Period.

Mr. Ricciardi:

Mr. Wagner and colleagues, I am holding firm to my position of last week that I believe

there are ulterior motives to the way we're spending this money, and that is pure politics.

I believe in structurally correcting our streets, and not for cosmetic purposes.

I would ask my colleagues that the next time they're in Mount Washington, and I'm sure Michelle sees it every day, if they ride up Grandview Avenue at the Church there, they'll see that street is very wavy. That street is very wavy because it has been macro-surfaced last year. Think about that. In this City our topography has to be called into question, and also our weather.

If we're going to spend X number of dollars, I'd rather spend a little more and do it the right way and not the wrong way. We have a perfect example on Grandview Avenue where macro-surfacing has not worked. As a matter of face, it's very wavy, as you know, Michelle, and that was not resurfaced properly.

On a statement that one of my colleagues mentioned, and I will not mention his name, but he did say that we should trust the experts at the table. Well, if we trusted every person who came to the table, there's no reason to have City Council here. We would just run it by the Directors.

I think it is our responsibility, and in this case it was my responsibility, to talk to as many people as I can, including some contractors who gave me some information. And, after taking a tour with Public Works officials, I was very displeased with the macro-surfacing we have done around town.

I thank you for those comments, Mr. Wagner, and allowing me to make them and be part of the Record. Thank you.

The Chair:

I'd like to make a brief comment, if I may. I don't want to debate these two bills but I think Council should place a little bit more confidence in our new Public Works Director, Mr. Walluk. He has shown signs of bringing some innovative policies and procedures to Public Works and I have confidence that he will utilize these dollars as best as he possibly can, pave as many roads as possible, and do it in a professional manner.

It's virtually impossible for us to double our paving throughout the City of Pittsburgh and do it with existing forces. In doing that, you would have to maintain that level of paving each and every year.

So, I think these two bills, I'm hopeful that they will be approved, even with some objections, and I think the City will be better off as a result of it.

Mr. Cohen:

Mr. President, I agree with you on this issue. I think that our job in City government has to be to provide a service in the most efficient and cost-effective way. And in discussions with Director Walluk and people from our Department, not contractors, not private contractors, but people in our Department who are experts, they have made a very strong case that micro-surfacing, not macro-surfacing, micro-surfacing is in fact the most efficient and cost effective way of doing this.

I'm very open to hear from the other side if they so-called Traffic Engineers on City Council here can show a better way of doing it. But we have to look at the most cost-efficient way of doing it and I think that this is the state of the art. My understanding is that there are many other cities in the country that use micro-surfacing and use it well and it saves a lot of

money for City taxpayers, and I think we have a responsibility for that. As I said, I'm open to hearing the other side, but I haven't been convinced yet.

Mr. Ferlo:

I don't want to belabor this but I'm not convinced. I think it's important that Council not waste money. We should provide oversight.

I just want to be clear. I'm all for spending the additional dollars. My only point is that I think we get more bang from the buck when we fundamentally restructure the street by resurfacing it with asphalt that we produce at cost.

My proposal is that we spend more money by beefing up the crews. We enable ourselves to cover more territory by covering by beefing up the crews at less cost. I think these bills should be held or recommitted for further review on actually what the cost should be.

Where Director Walluk is from, Binghamton, New York, that area is cold winter weather. It stays cold, the streets stay frozen until spring. In Pittsburgh, Pennsylvania, we have a constant freeze-thaw, so all these new fangled cosmetic surfacing techniques do not work. The best thing is to take up the old asphalt and replace it, and that's what we should be doing. That's my only objection.

Mr. Darkins:

Mr. President and my colleagues on Council, I think that our new Director of the Department, and I speak as the Chairman of the Department of Public Works, he's new here and he deserves every chance as any other director that is serving in City government. I think in time, with the help of the City of Pittsburgh and the finance that is needed, he will be able to comply

with everyone's wishes that sits here on Council. In due time, I think everything will work out.

I also want to commend him. I don't care if he came from Los Angeles. I think he's doing a good job and I want everyone to know that I, as the Chairman of the Department of Public Works, I'm very pleased in having him as a Director because we had no director here and I don't want to put it on the Administration or anyone else, but we followed it around for months without any supervision in that Department. He has arrived and I think he deserves a chance to prove what he said he would do when he came before us to be approved.

Mr. Ferlo:

I'd like my remarks brought forward on Bills 607 and 608.

The Chair:

I'd like my remarks brought forward on these bills also.

Mr. Cohen:

Please bring my comments forward on Bills 607 and 608.

(REMARKS ON FOLLOWING PAGES)

(MESSRS. FERLO, WAGNER & COHEN'S COMMENTS ON BILL NO. 607)
(April 15, 1992)

Mr. Ferlo:

I am all for re-electing Mayor Masloff if she actually does the job of fixing the streets. Unfortunately, these two bills I don't think are going to do that. I am voting no on the legislation. The difference about up state New York, coming from the area originally, and Pittsburgh is the freeze thaw program. Many of these processes are cosmetic, and for whatever the motivation is, this got hatched long before you got here, Director, this is Jim Turner's typical jobbing out and contracting out work that we can ably do in the city with the resources that we have, we can get more bang for the buck by beefing up the work crews during construction period in time from April to September when we are able to do this. That is what I would like to commit what is amounting to this bill and the next bill, \$2 million.

So, one, I am voting no on the two bills, because we are not getting the bang for the buck, and more importantly, we are doing a cosmetic half assed job, and I am not paying money to do that.

Mr. Walluk:

I disagree with you all all points there, and I would be happy to sit down with you at length to discuss this and show you what is going on here, because what you need to do is you have less and less money being available to you, and you should do whatever you can to extend the dollars you have to extend the life of the programs. I don't think you really understand what micro surfacing does for you. It is not a slurry seal, it is actually putting down an asphalt cement on the surface of the road so that you seal the road and is it give you a five to seven year additional life.

Mr. Ferlo:

The only thing I do agree with you -- and I appreciate it and hope we can continue to debate in the budget period -- is that you are making a commitment to actually have a management plan in place as it relates to extending the life of the surface area. But what I think the priority needs to be is actually putting down viable asphalt where it is needed throughout the city.

(Continued on next page)

(Transcribed by Helen L. Kriebel)

(CONT'D -- MESSRS. COHEN, FERLO AND WAGNER'S COMMENTS ON BILL NO. 607, WEDNESDAY, APRIL 15, 1992)

Mr. Cohen:

I think it was totally inappropriate to bring politics into this Chamber about this issue. Councilman Ricciardi is making it look as if we vote for this we're voting because of some kind of endorsement in the Mayor's race. Let me tell you why I'm voting for this. I'm voting for this because there are many, many streets in my district that need to be repaved and I think we have to realize what we're experts in and what we're not.

I think we should realize where our expertise lies and where it doesn't lie. As far as I know there aren't any service engineers at this Council table. I don't know the difference between latex emulsion and non-latex emulsion. I defer to Mr. Walluk's judgment and Mr. Tiglio's because I think they both have excellent judgment and know what they're doing in this area. But if there are members who don't want to vote for this because they think it's some kind of politics, my suggestion to you is, put the money into my district because there are a lot of streets in my district that need to be repaved and I'd like to give you a list of them at the end of this meeting.

Mr. Wagner:

I echo Councilman Cohen's feelings. If Councilman Ricciardi and Councilman Ferlo are not enthusiastic about paving in their districts then they're are a whole lot of streets in my Council district --

Mr. Ferlo:

-- you didn't get your facts straight.

Mr. Wagner:

-- excuse me, Mr. Ferlo, you're out of order.

Mr. Ferlo:

You're out of order.

Mr. Wagner:

No, you're out of order. Director, I appreciate you attending the session last week in Carrick, the evening meeting at the community council. As you know and as you've heard from the residents in Carrick, there are numerous streets, most importantly Brownsville Road from one end to the other that needs repaving. There are a multitude of streets south and west of the rivers that need immediate action this year and next year

prior to the shut down of the Fort Pitt Bridge and Tunnels because those roads are going to be used in excess beginning probably in 1994 and 1995. We need immediate action on a multitude of roads.

I'm pleased to see that you are implementing some innovative strategies with cost reduction as part of it to pave many of these roads, and I for one think this should be a cooperative effort between Council and the Administration with Council letting the Mayor's Office, letting Public Works know what roads in their districts are in the worse shape and asking that priority be placed on redoing those roads and leaving up to the experts the method in which the repaving is done. Thank you.

Mr. Ferio:

Mr. Chairman, my only concerns -- I appreciate Mr. Wagner and Mr. Cohen interpreting my comments. My comments were not Mr. Ricciardi's comments. My comments were I'm voting no because I oppose the contracting out of work that I think can be performed within the City's resources for one, and two, I would rather see structural asphalt and actually in the infrastructure of the road corrected and not what I think will be a cosmetic and will not be lasting and I think it's a waste of money and that's why I'm voting no. Any effort that the Mayor or this Administration makes in dealing with the problem I applaud. I happen to disagree with the contracting out and the nature of the process that they're using and that's why I'm voting no.

(END OF COMMENTS)

PREPARED BY: MARY ANNE HRUSKA
STENOTYPE REPORTER

The Chair:

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Michelle Madoff	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 7

NOES 2

(MR. FERLO AND MR. RICCIARDI VOTING NO)

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Cohen presented

Bill No. 721

Report of the Committee on Planning, Housing and Development for April 15, 1992 transmitting sundry ordinances and sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 106

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Nine, 'Zoning', by creating two additional zoning districts entitled

'C6-B' and 'C6-C', 'Downtown Riverfront Districts', by providing rules and regulations for both districts, and by revising the present provisions of the 'C6-A', Downtown Riverfront District concerning use, height and area regulations."

Which was read.

Mr. Ferlo:

Mr. President, I'd like to make a motion to amend Bill 106. I'd like to make a motion to remove under Item 1 on Page 15, remove Section D, Helipads, when located no higher than 35 feet.

Mr. Cohen seconded the motion.

Mr. Ferlo:

I'm doing this for two reasons. First, personally, I don't think helipads should be allowed in the zone. I could see helipads or helicopter operations in tertiary care facilities such as hospitals. I agree with Michelle's point wholeheartedly that we need to have a plan City-wide to strategically locate helicopter operations.

Secondly, even from the point of view of logic, this doesn't make any sense the way it's worded. It means that if you had a building 40 feet or higher, you could have a helipad. But if it's lower, it would have to go through a conditional use process.

So, I would respectfully amend that out and if somebody wants to amend that back in it could go back to the Commission for actually some review and consideration.

Mr. Milliones:

Mr. Ferlo, how does this sit with City Planning?

Mr. Ferlo:

My understanding from talking to Mr. Brown this morning, I wasn't able to reach Director Downing, is that he believes this was an oversight by the staff and it should have been removed. That was his exact words.

Mr. Milliones:

Thank you.

The Chair:

Any other discussion on the amendment?

All those in favor? Opposed?

WHICH MOTION PREVAILED.

Also,

Bill No. 107

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Nine, 'Zoning', Article III, Chapter 921, Section 921.02, Zoning District Map No. 7, by changing from 'S-A', 'AP', 'C4', 'M1', 'M2', 'M3' and 'M4' zoning district to "C6-B and C", Downtown Riverfront Districts, certain property in the North Shore community generally bounded by: the Allegheny River; the Ohio River; the West End Bridge; Chateau Street; Western Avenue; Fulton Street; Ridge Avenue; State Highway Route 65; Conrail Railroad; and the Fort Wayne-Conrail Railroad Bridge; 21st, 22nd and 23rd Wards." (AS AMENDED IN COMMITTEE)

Which was read.

Also,

Bill No. 458

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, by providing a definition for 'theater' under Chapter 903 and by including 'theater' as a permitted use in the CP commercial district and the AP commercial/residential district."
---(SPONSORED BY MR. WAGNER)

Which was read.

Mr. Ferlo:

I'd like my comments brought forward on Bill No. 458.

Mr. Cohen:

Mr. President, I would also like my comments brought forward, please.

The Chair:

Mine also.

(REMARKS ON THE FOLLOWING PAGES)

(MESSRS COHEN, FERLO AND WAGNER'S COMMENTS ON BILL No. 458)
(Wednesday, April 15, 1992)

Mr. Cohen:

This is a bill to add the word "theater" and definition for "theater" under CP zone. We had a public hearing on this last week. I think most of us were here for that.

Let me state my own opinion on this, if I could. The CP district is supposed to be a development district, and I was surprised, frankly, when I saw the decision, the court decision, that said that theaters were not included under retail sales. I think that under any definition of a development district, theaters should be included under that, and that is what this bill does. Certainly by having theaters under that code section, it allows for jobs, for economic development, and last but not least, taxes to this city. I think all of us would agree about that.

There was certainly a lot of discussion about the Waterworks Mall, but I think we should remember that this is a text change for the city as a whole. I received a letter just before this meeting from Arthur Ziegler of the Pittsburgh History and Landmarks Foundation saying that he plans to apply for a theater in the same exact zone classification, CP, for the Station Square project. So I think that by Council approving this today, we will be able to support development in that zone and realize that it is going to effect not just Waterworks Mall, but city-wide.

There was some discussion of traffic issues at the hearing. My personal view of that is that we should not hold this bill up for discussion of those issues. Those, I think, should be taken care of by the departments that are responsible for traffic issues with Council working as a catalyst if it can. But traffic issues should be decided by the traffic departments of this city, of Allegheny County, PennDOT and anybody else that would be involved.

So I would like to encourage Council to move forward and pass this bill today.

Mr. Ferlo:

I think we need to move expeditiously on this bill. Obviously, based on not only the testimony at the hearing, but there is no one obviously in their right mind that would object to including "theater" to any CP or AP zone, so I wholeheartedly support the correction to the original Code.

My only concern is, moving expeditiously to approve this, I would also like to know from the Administration between now and Tuesday how we are going to resolve the related issues that were raised at the hearing. I want to move quickly and approve this, but at the same time, I think there are some substantial traffic problems regarding Freeport Road and intersections, and I think

between now and the time we finally approval this on Tuesday, we need to have a written memo from the Administration on what is the light at the end of the tunnel regarding corrective action that I think everybody agrees need to be made. I would like to know that in voting for this, we are also going to have light at the end of the tunnel and that everybody who has a vested interest, be they new developers and even though maybe that develops not in the city, I know people in my district will benefit from jobs there. The Gumberg interests obviously are substantial in that area with the Waterworks Mall, and I believe St. Margaret's Hospital also has a responsibility to be a part of finding solutions to the traffic problems delineated.

In voting for this, I would like a clear memo from the Administration on what, if anything, you propose and what is going to be done to make sure that all of the people who have vested interests are part of the process of resolving what I think everybody agrees is a problem.

Mr. Wagner:

I want everyone on Council to understand that I think this issue is a simple, clear cut issue that deals with theaters and CP and AP zones. As Mr. Cohen indicated, it applies to a multitude of areas throughout the City of Pittsburgh. We should be opening our doors and requesting as many theaters locate in those zones throughout the City of Pittsburgh. We have had the opposite occur in recent years, an exodus of theaters, and certainly we have some quality theaters at the Waterworks Mall and we want to keep them there. I don't think we should let this issue tie into another issue. However, I think we should work with that other developer to try and be as cooperative as we can, but let's not cloud this issue in the process.

(END OF REMARKS)

(Transcribed by Helen L. Kriebel, Stenotype Reporter)

Mr. Cohen:

Mr. President, I'd like to move that Bill 458 become effective upon the signature of the Mayor.

Michelle Madoff seconded the motion.

WHICH MOTION PREVAILED.

Also,

Bill No. 550

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Urban League of Pittsburgh for administrative assistance in operating the 'Housing Counseling Program' for low-moderate income families, at a cost not to exceed \$210,000.00."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 551

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Commission on Families for administrative support in operating their program at a cost not to exceed \$100,000.00."

Which was read.

Also,

Bill No. 552

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Pittsburgh Community Services, Inc. for the implementation of the Home Security Program and the installation of locks and smoke detectors in the City, in an amount not to exceed \$250,000.00."

Which was read.

Also,

Bill No. 553

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Pittsburgh Community Services, Inc., located at 1835 Centre Avenue for the provision of administrative assistance in carrying out programs for public services to low and moderate income persons, in an amount not to exceed \$210,000.00."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner

(Pres't)

AYES 8 NOES none

(MR. MILLIONES ABSTAINING)

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 554

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Hunger Services Network for administrative assistance and operating funds for their Penn Avenue Office in an amount not to exceed \$57,500.00."

Which was read.

Also,

Bill No. 555

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Pittsburgh Community Services, Inc., located at 1835 Centre Avenue for the provision of administrative assistance in carrying out hunger related programs for public services to low and moderate income persons, in an amount not to

exceed \$185,000.00."

Which was read.

Also,

Bill No. 556

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Oakland Transportation Resource Center to provide administrative/operating support to the Agency in an amount not to exceed \$15,000.00."

Which was read.

Also,

Bill No. 557

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Western Pennsylvania Conservancy for the Community Self-Help Beautification and Community Gardening Programs in Community Development Neighborhoods, and for the development of floral beds on highly visible, vacant lots in the City at a cost not to exceed \$78,000.00."

Which was read.

Also,

Bill No. 558

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Dollar Energy Fund administrative/operating support at a cost not to exceed \$20,000.00."

Which was read.

Also,

Bill No. 559

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Generations Together for for administrative assistance with their youth volunteer services for the elderly program in an amount not to exceed \$12,000.00."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 560

A Resolution entitled, "Resolution providing for an Agreement or Agreements with CareBreak to provide support to low and moderate income families caring for handicapped children at home in an amount not to exceed \$50,000.00."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES none

(MR. MILLIONES ABSTAINING)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 561

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Pittsburgh Action Against Rape, an organization that provides counseling and information for women experiencing domestic violence problems, in an amount not to exceed \$41,000.00."

Which was read.

Also,

Bill No. 562

A Resolution entitled, "Resolution providing for an Agreement or Agreements with United Cerebral Palsy Association for administrative

and/or operating assistance in an amount not to exceed \$23,000.00."

Which was read.

Also,

Bill No. 563

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Persad, Inc. and organization that provides counseling and information for AIDS related victims in an amount not to exceed \$45,088.00."

Which was read.

Also,

Bill No. 564

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Jewish Community Center for financial assistance in the operation of their scholarship program, in an amount not to exceed \$30,888.00."

Which was read.

Also,

Bill No. 565

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Jewish Family and Children's Service Center (Senior Escort Program) to provide administrative support to the Agency in an amount not to exceed \$27,000.00."

Which was read.

Also,

Bill No. 566

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the PA Association for the Blind in an amount not to exceed \$33,000.00."

Which was read.

Also,

Bill No. 567

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Steel Valley Authority for administrative/operating support in an amount not to exceed \$30,000.00."

Which was read.

Also,

Bill No. 568

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Salvation Army - Inebriate Program to provide administrative/operating support to the Agency in an amount not to exceed \$60,000.00."

Which was read.

Also,

Bill No. 569

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Center for Victims of Violent Crimes for administrative assistance at a cost not to exceed \$30,000.00."

Which was read.

Also,

Bill No. 570

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Women's Center and Shelter, an organization that provides counseling and information for the low-income women experiencing domestic violence problems, in an amount not to exceed \$50,000.00."

Which was read.

Also,

Bill No. 571

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Community College of Allegheny County for administrative assistance in operating their 'Employment Training Program for Special Need Adults' in an amount not to exceed \$6,900.00."

Which was read.

Also,

Bill No. 572

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Hazelwood-Glenwood-Glen Hazel Citizens Council for administrative assistance at a cost not to exceed \$9,000.00."

Which was read.

Also,

Bill No. 573

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Parental Stress Center for purchase of land at a cost not to exceed \$3,000.00."

Which was read.

Also,

Bill No. 574

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Bloomfield-Garfield Corporation for administrative and/or operating assistance in running a low-moderate income youth-oriented facility at a cost not to exceed \$9,000.00."

Which was read.

Also,

Bill No. 575

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Lawrenceville Citizens Council for administrative/operating support of their 'Housing Information Program' in an amount not to exceed \$5,000.00."

Which was read.

Also,

Bill No. 576

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Lawrenceville Development Corporation for acquisition and site preparation in their housing development and revitalization program at a cost not to exceed \$3,000.00."

Which was read.

Also,

Bill No. 577

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Lawrenceville Meals on Wheels for maintenance and program support not to exceed \$5,500.00."

Which was read.

Also,

Bill No. 578

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Garfield Jubilee Association for administrative/operating support for their Community Maintenance Program in an amount not to exceed \$5,000.00."

Which was read.

Also,

Bill No. 579

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Elder-Ado, Inc., for administrative-operating assistance of their multi-purpose facility assisting elderly and low income persons at a cost not to exceed \$11,896.00."

Which was read.

Also,

Bill No. 580

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Mom's House to provide administrative assistance with their services for Unwed Mother's Program in an amount not to exceed \$25,000.00."

Which was read.

Also,

Bill No. 581

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Elizabeth Seton Center for administrative assistance and operating funds of their Adult Day Care Program in an amount not to exceed \$12,000.00."

Which was read.

Also,

Bill No. 582

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Homewood-Brushton Community Improvement Association for expansion to and operating assistance for their multi-purpose recreation facility in an amount not to exceed \$5,000.00."

Which was read.

Also,

Bill No. 583

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Perry Hilltop South CDC for administrative support, in an amount not to exceed \$18,888.00."

Which was read.

Also,

Bill No. 584

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Esplen Senior Citizens Association for operating assistance in running their Food Bank Project, at a cost not to

exceed \$18,000.00."

Which was read.

Also,

Bill No. 585

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Golden Carriage, Inc., a non-profit corporation, to provide community social services including a shopping-transportation escort service to the aged, handicapped, and disabled in an amount not to exceed \$3,500.00."

Which was read.

Also,

Bill No. 586

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Spring Garden Neighborhood Council, Inc., for assistance in carrying out their community lot beautification program, neighborhood rental program and the development of a community center at a cost not to exceed \$32,000.00."

Which was read.

Also,

Bill No. 587

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Beltzhoover Neighborhood Council for administrative assistance in operating its services in an amount not to exceed \$7,500.00."

Which was read.

Also,

Bill No. 588

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Bethlehem Lutheran Church for financial operating assistance in an amount not to exceed \$4,500.00."

Which was read.

Also,

Bill No. 589

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Bidwell Education, Music and Recreation Center for the rehabilitation of their facility for use as a multi-purpose center, at a cost not to exceed \$26,328.00."

Which was read.

Also,

Bill No. 590

A Resolution entitled, "Resolution providing for an Agreement(s) and Contract(s) with Consultant(s) and Vendor(s) to assist the City in improving its Citizen Participation Process and providing for the payment of the cost thereof at a cost not to exceed \$300,000.00."

Which was read.

Also,

Bill No. 591

A Resolution entitled, "Resolution providing for an Agreement or Agreements with a consultant or consultants for the purpose of providing architectural and design services, consumer

surveys and market studies, promotional activities, commercial revitalization planning assistance, and business district management in various neighborhood business districts as part of the City's Neighborhood Business District Revitalization Program at a cost not to exceed \$255,000.00."

Which was read.

Also,

Bill No. 592

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Pittsburgh Partnership, Inc., for administration of a program to provide funding for community development corporations undertaking community economic development activities in an amount not to exceed \$420,000.00."

Which was read.

Also,

Bill No. 593

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Community Based Organizations for community and economic development planning assistance in various neighborhoods in the City and providing operating support for these groups in an amount not to exceed \$600,000.00."

Which was read.

Also,

Bill No. 594

A Resolution entitled, "Resolution providing for an Agreement or Agreements or Contract or Contracts, or use of existing Agreements or

Contracts, with a Consultant or Consultants, or Vendor or Vendors, for the purpose of conducting planning and management studies, and related activities in support of such studies including the purchase of data and data analysis equipment and training in the use of such data and equipment, at a cost not to exceed \$200,000.00."

Which was read.

Also,

Bill No. 595

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to submit an application for financial assistance in the amount of \$3,000,000 to the Pennsylvania Department of Commerce for the Federal North Project."

Which was read.

Also,

Bill No. 596

A Resolution entitled, "Resolution authorizing a Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh for the Federal North Project providing for the designation of \$575,000 of CDBG funds as the local share for a grant applied for in an application for financial assistance filed with the Pennsylvania Department of Commerce, reimbursement of the Commonwealth by the City for any expenditures found to be ineligible and obligating the City to pay any local share of project costs."

Which was read.

Also,

Bill No. 597

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to submit an application for financial assistance in the amount of \$400,000 to the Pennsylvania Department of Commerce for the Glenwood Industrial Site Project."

Which was read.

Also,

Bill No. 598

A Resolution entitled, "Resolution authorizing a Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh for the Glenwood Industrial Site Project providing for the reimbursement by the City of the Commonwealth for any expenditures found by the Department of Commerce to be ineligible and obligating the City to pay any local share of project costs."

Which was read.

Also,

Bill No. 599

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to submit an application for financial assistance in the amount of \$250,000 to the Pennsylvania Department of Community Affairs for the Glenwood Industrial Site Project."

Which was read.

Also,

Bill No. 600

A Resolution entitled, "Resolution authorizing a

Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh for the Glenwood Industrial Site Project providing for the reimbursement by the City of the Commonwealth for any expenditures found by the Pennsylvania Department of Community Affairs to be ineligible and obligating the City to pay any local share of project costs."

Which was read.

Also,

Bill No. 601

A Resolution entitled, "Resolution authorizing the Urban Redevelopment authority of Pittsburgh to submit an application for financial assistance in the amount of \$400,000 to the Pennsylvania Department of Commerce for the Lawrenceville Industrial Site Project."

Which was read.

Also,

Bill No. 602

A Resolution entitled, "Resolution authorizing a Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh for the Lawrenceville Industrial Site Project providing for the reimbursement by the City of the Commonwealth for any expenditures found by the Department of Commerce to be ineligible and obligating the City to pay any local share of project costs."

Which was read.

Also,

Bill No. 673

A Resolution entitled, "Resolution providing for

the rental of two (2) charter buses for Jobs with Peace (Save our Cities Rally) in Washington, D.C. on May 16, 1992, at a cost not to exceed \$2,000.00, chargeable to and payable from Code Account 1001-1, Miscellaneous Services, Supplies and Equipment (Index Code 100115)."
---(SPONSORED BY MR. DARKINS)

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Michelle Madoff presented

Bill No. 722

Report of the Committee on Water for April 15, 1992 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 610

A Resolution entitled, "Resolution providing for the amendment of an Agreement of Lease with Forbes Street Associates of certain space at the 441 Smithfield Street Building to expand the area of the Leased space to include additional lease space on second floor and providing for the payment of additional cost."

Which was read.

Michelle Madoff:

I'd like to point out to my colleagues, if memory serves me well, that we were probably at \$2 million a year in rental space. It would appear that if we were to buy our own building, say that little building next to Gimbel's that has been sitting empty, or some building in these pressing economic times, that the revenue that we put out, the monies we put out to pay for rent would pay for our own building.

It's time we starting taking some of our own housing stock. I took Mr. Mancuso out and I showed him a building in Carnegie, a 100 year old big old house that was converted to offices, and it was phenomenal.

There are creative things that we can do and the argument that we have to maintain them by keeping a superintendent or do the wiring is nonsense because we have in-house people who do carpentry and electrical work and so on. At some point we're going to have to stop this nonsense.

As you know, I'm going to a meetin gin Orlando and one of the reasons I'm going to that meeting is that the Mayor of Orlando whom I hope to meet with in advance has got a project there where they're building a Public Safety Building and next to it they're building 10 office buildings in an arrangement where they put the

bond money out. The rentals of those buildings will come back to the general fund because taxes are at an all-time high, the economy is at an all-time low, and you've got to be creative. And every time we rent space I go beserk because it's been ten years that I've been saying why don't we convert or own housing stock and why don't we stop this rental and buy some buildings.

Is anybody listening on the other side of the street, the Administration? This is nonsense.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Milliones	Mr. Wagner
	(Pres't)

AYES 6 NOES 3

VOTING NO:

Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. O'Connor presented

Bill No. 723

Report of the Committee on Parks and Recreation

for April 15, 1992 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 319

A Resolution entitled, "Resolution providing for an Agreement or Agreements with an independent contractor for the purpose of serving as an administrator to the Pittsburgh Council on Aging. The total cost shall not exceed \$40,000.00, and shall be chargeable to and payable from Code Account 1843 (184309) Department on Aging in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 672

A Resolution entitled, "Resolution Repealing Resolution No. 195, approved March 3, 1992, entitled 'Providing for the rental of two (2) charter buses for elderly city residents to attend a lobbying effort in Harrisburg, PA on March 11, 1992, in support of a ceiling pricee on prescription medication, at a cost not to exceed \$2,000.00 payable from code Account 1001-1 (100115), Miscellaneous Services, Supplies and Equipment." ---**(SPONSORED BY MR. DARKINS)**

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Millions	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Onorato presented

Bill No. 724

Report of the Committee on Public Safety for April 15, 1992 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 686

A Resolution entitled, "Resolution amending Resolution No. 317, effective April 3, 1992 entitled: 'Resolution providing for an Agreement or Agreements with National Night Out for services for the residents of the City of Pittsburgh during 1992 and providing for the payment thereof.'"

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Millions	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

MOTIONS AND RESOLUTIONS

Michelle Madoff:

I have a couple of little items that I'd like to bring before Council.

It appears that the Port Authority has been looking into the possibility of constructing another radio tower in Grandview Park on Mount Washington. We're already inundated with radio transmission lines. You can't use your telephone, you get radios over your telephone, you get the telephone over your radio, you can't have an answering machine in some of the places. My Administrative Assistant, Sarah Meeks, also lives on Grandview; I do; Bill lives off of the area. It's an impossible situation.

The idea that we're going to put another one in with the reception the way it is is absurd.

I would like to, along with the community groups, voice my opposition to the construction

of any new transmission tower on Mount Washington. And I'd like the Administration to sit down with the Mount Washington Community Development Corporation, that's a new umbrella group up in Duquesne Heights and Mount Washington, and discuss this and any other proposal involving increasing transmission on Mount Washington.

I think that we need City Planning to update the zoning laws in the City Code to restrict the placement of radio towers in the City. We've got too many of them, specifically in relationship to distance as towers are located to residential housing and impact on your reception.

I would like to make that in the form of a motion and I would like the Administration to please look at this problem.

The Chair:

So your motion is—

Michelle Madoff:

A letter to go to the Administration outlining the fact that we want them to look at it and not do it until they study it.

Mr. Ricciardi seconded the motion.

Mr. Ricciardi:

Michelle, I know you were very instrumental in stopping the tower that was coming from Bentleyville Telephone Company, which I believe was in excess of 800 feet.

If I'm not mistaken, Michelle, and I support your resolution 100 percent, is it going to be a replacement of the tower already in tact in Grandview Park, or is this supposed to be a new construction including that tower?

Michelle Madoff:

They have talked about several options and the problem is that we just can't take any more. We need to take some of them down and I think that would be impossible. But at least don't give us any more trouble up there.

Mr. Ricciardi:

Thank you.

WHICH MOTION PREVAILED.

Michelle Madoff:

On another matter, I don't know how many people are aware of something that happened in the City a number of years ago. It was brought to my attention again by reading the stories in the newspapers about the California University of Pennsylvania, the problems with the housing for the students and the problems they're having there, the fire hazards, the warehousing of the children.

Well, a number of years ago, we had an episode in Oakland where a slum landlord warehoused our kids and the kids were burned alive. In my naivete, I held a post agenda or a hearing in Council about it and didn't realize that the immediate world, the FBI, the CIA, the District Attorney, everybody was here because I had unmasked a substantial amount of information that people had sent me.

That gets to the issue of what are we doing with our own kids. Do we have the Building Inspectors going door to door as they were supposed to go? What is the status of that to assure that our kids are living safely, particularly in the Oakland area where landlords have a tendency to buy properties, violate the Code.

I would like very much to hold a post

agenda and I don't think it should be done quickly. I think we should give it some time. I'd like to do it about the first of June, somewhere in June, so that we can get an update and have some time to put together some reports on what houses have they gone to door to door, what communities. And I think this will relate tomorrow to legislation coming before us, do people have valid occupancy permits. That's what this is really all about.

I want to know what progress has been made in Oakland. It has been maybe ten years since that happened and I think that's it's time we looked into it.

Incidentally, the person who was guilty went to jail.

The Chair:

Mr. Perry, you will work with Councilwoman Madoff to schedule a post agenda on that issue in June.

Michelle Madoff:

But what I want to do is to let the Director of Inspection, Director Cimino, know right away that we're going to have that information by the first of May. Give him enough time to put it together.

The Chair:

Thank you.

Mr. Onorato:

Mr. President, real quick. This weekend I had the opportunity to speak with several of our State Representatives talking about the crime bill and the proposed legislation from Representative Marinek. He, and a few others, have informed me that the momentum for that bill is slowing

down, that there was a technical problem with the drafting that they're working on but also just with the support of other Legislators throughout the state.

I asked him if there was anything the City of Pittsburgh could do to help them out and he requested, and several of them requested, that we send another either letter or motion of support from this Council supporting the proposed legislation or any variation of it and that we keep the pressure on that we need that funding source.

The Chair:

Is that in the form of a motion?

Mr. Onorato:

Yes.

Mr. Cohen seconded the motion.

WHICH MOTION PREVAILED.

Michelle Madoff:

On another matter. My office, along with several people in the community, have identified a potential location for the West End Senior Citizen Center. It's been ten years and it's been nicknamed the Worst End Center instead of the West End Center. That's the one in St. James Church.

With the help of a real estate agent, Lon Grant and Porter McDowell, and along with Carl Mancuso, Michael Senko of Parks and Recreation, Myrtle Tartan of the West End Relocation Committee, and my staff, we went out and looked at the location that they had found. It's a wonderful location in that it is open and it will not require massive dollars.

It's the kind of thing that the

Administration says they've been looking for for ten years and they couldn't find anything. Even Mr. Mancuso said it seems like an ideal place.

Interestingly, Mary Lou Daniels of the Mayor's Office has been looking at something and she suggested that we use St. James School and Hester Hall. Our observations and the people we've talked to indicate that it would be too expensive, specifically conversion of the building for the physically challenged and it just wouldn't give us enough space. It just has 6,000 square feet and it just wouldn't cover it.

Nevertheless, I'd like to thank the Mayor and Carl Mancuso for their quick response in viewing the facility and speaking with the owner of site, Mr. Frank Samms. And I'd like to urge them to act swiftly in consulting the Relocation Committee in committing to the site in order to start renovation as soon as possible so that we can bring this ten year waiting period to an end.

This center is unbelievable. It's like a goat trail for people to get in. You've been there; everybody has been to St. James Church. It's just unbelievable. And we've got to get the people out of the Worst End Center. This is an opportunity, the price is right, the place is excellent, and I've got to thank Bill Urbanic of my office for spearheading this and really bringing everybody together and making it happen. And with the support of this Council, it will happen.

This is the kind of thing that the Senior Citizen Program which is now the Department of Aging has been pushing and supporting, and this is the kind of thing I hope will happen in the future. We won't wait ten years to do the right thing.

Mr. O'Connor:

My staff was there too and I understand it's a great location and I will pursue that with Parks myself, and assist you. I think it's a very good idea.

Michelle Madoff:

That was an oversight. I wanted to thank Mr. O'Connor for sending someone. I hope that we'll work together and make it happen. And would you speak to the Administration with me.

Mr. O'Connor:

Yes.

The Chair:

Thank you.

Michelle Madoff moved to approve the Minutes of Tuesday, March 24, 1992.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. Milliones:

Mr. President, since Election Day is next Tuesday, I move that the time of this meeting be rescheduled for Monday at 10:00 a.m. instead of Tuesday.

Mr. Ferlo seconded the motion.

WHICH MOTION PREVAILED.

And on the motion of Mr. Milliones

Council adjourned.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXVI

Monday, April 27, 1992

No. 17

Municipal Record

ONE-HUNDRED TWENTY-SEVENTH COUNCIL

JACK WAGNER President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER Asst. City Clerk

Pittsburgh, PA
Monday, April 27, 1992

PRESENT:

MR. COHEN	MR. O'CONNOR
MR. DARKINS	MR. ONORATO
MR. FERLO	MR. RICCIARDI
MR. MILLIONES	MR. WAGNER
	(Pres't)

ABSENT:

MICHELLE MADOFF

The Meeting was opened by the recitation of the Pledge of Allegiance to the Flag of the United States of America, and a moment of silent prayer for peace throughout the world.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

The Chair presents

No. 746 WHEREAS, John Mazza has been the President of the Beechview Athletic Association since 1989; and

WHEREAS, under his direction the past three years and working with the City of Pittsburgh, the Beechview Athletic Association has received new restrooms for Vanucci Field, lights for the back field, a \$5,000.00 grant from the State for dug-outs in the back field and a batting cage for the 1993 season and numerous other improvements; and

WHEREAS, John's most important accomplishment during his term was to unite all Boardmembers and to make the Beechview Athletic Association a real team effort where every year more and more children and parents become involved in the organization; and

WHEREAS, the Beechview Athletic Association has grown to be one of the most respected organizations of its kind in Western Pennsylvania, and includes baseball, softball, soccer and basketball for 275 boys and 175 girls, ages 5 through 18; and

WHEREAS, the various activities of the BAA teach the young people of Beechview respect, dedication and the competitive spirit necessary to acquire self-respect and be competitive in life; and

WHEREAS, John is involved in other community activities such as Vice-President of the Beechview Community Council, is a Community Council Representative to the South/Southwest Neighborhoods Together, Mayor's Community for Park Advisory and Recording Secretary for the Beechview Umpire Association; and

WHEREAS, John is the devoted husband of Diane and the father of five wonderful daughters and four grandchildren.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby thank and congratulate John Mazza for his outstanding contributions to the Beechview Community and the City of Pittsburgh; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh proclaims April 25, 1992 as "John Mazza Day" in the City of Pittsburgh.

Mr. Milliones moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Cohen:

Good morning, everyone. I have two resolutions today and the first one is for the Women Lawyers Mentor Project, and if we could have the women who are with that project including three of the first 100 women lawyers in Allegheny County to come up here, please.

Mr. Cohen presents

No. 747 WHEREAS, the Women Lawyers Mentor Network was organized under

the auspices of New Achievement Strategies in the Spring of 1991 to provide a forum and opportunity for professional development for women attorneys in the area; and

WHEREAS, the Women Lawyers Mentor Network, co-sponsored by the Allegheny County Bar Association, will pay tribute to the first one hundred women who were admitted to practice law in Allegheny County, Pennsylvania, through a display at Oxford Centre April 21-31 and at a dinner event at the Westin William Penn Hotel on April 29 featuring speaker Nina Totenberg of National Public Radio; and

WHEREAS, in 1895 Agnes Watson became the first woman admitted to the Bar in Allegheny County, followed by another 99 women over the next sixty years, including the following fifteen honorees who currently practice law in Pittsburgh: Rosina B. Lewis; Mary Dilworth Barnes; Nellie M. Fergus; Virginia R. Dale; Alice Dobson; Elizabeth Bailey; Nancy Welfer; Barbara A. Russell; Lorraine L. Bieno; Audrey O. Bracken; The Honorable Eunice L. Ross; Roslyn M. Litman; Phyllis L. Wesoky Kramer; Mary M. Merman; Mauve Victoria Geddie; and

WHEREAS, these women and those who have followed have made significant contributions to both the legal profession and to the City of Pittsburgh and the County of Allegheny.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh commends the Women Lawyers Mentor Network for its outstanding work in recognizing the first one hundred women admitted to the practice of law in Allegheny County and in organizing the Tribute; and

BE IT FURTHER RESOLVED, that Pittsburgh City Council gratefully acknowledges

the contributions of the First One Hundred and declares April 21-31, 1992 to be "Women Lawyers Days" in the City of Pittsburgh.

Mr. Cohen moved to adopt the resolution.

Mr. Milliones seconded the motion.

Which motion prevailed.

Mr. Cohen:

We pay tribute this morning to a group of trailblazers, the first 100 women lawyers in Allegheny County. Each and every one of them has made a contribution to the practice of law, some of them as judges also, but they also made another contribution and that is to be the first to break a barrier, a barrier of a totally male-dominated field, one of which I am a member of, and I'm glad that it's not a male-dominated field anymore. It has been dominated for centuries by men.

I have a particular place in my heart for this proclamation because my own grandmother is a lawyer and she was admitted to the Bar, although it wasn't the Allegheny County Bar, in 1926. So, I think she probably would fit in as one of the first women lawyers. She certainly would.

We have with us today three of the First One Hundred, the much latter group, of course; Mary Merman, Nellie Fergus and Ros Litman. We also have with us two people who are with the Lawyers Mentor Project who put together this tribute, Stacy Vernalis and Nora Fisher. So, I'd love to hear from one of the First One Hundred Women Lawyers, please.

Ms. Merman:

Since I am Co-Chair of the project and number 98 on the list, I would like to say that we're very happy to see this day coming. It was a

great experience because all of the women, and the men, of the Bar Association really backed this. We're having over 1,100 seats at the William Penn Hotel which is, I think, the record. And we are very, very happy to bring to the whole City of Pittsburgh some history of the background of the First One Hundred Women. Thank you.

Ms. Litman:

First, I'd like to thank Council for the resolution. And, I would like to say that in the course of my career, I have been called a lot of names by the lawyers on the other side but Trailblazer is a first for me and I like that one better than a lot of the others. Thank you.

Mr. Cohen:

For those of you who haven't seen it, please go over to Oxford Centre, it's on the third floor, and look at the exhibit that they have there. It's a terrific exhibit and it really outlines the whole history and gives you a lot of artifacts and chairs and documents and things. It's really worth seeing.

Anyway, thank you very much. Congratulations and I'll look forward to seeing you at the dinner.

Now if we could have the folks from The Greater Pittsburgh Commission On Women's Self-Sufficiency Project come up, please.

Mr. Cohen presents

No. 748 WHEREAS, April 27, 1992 through May 1, 1992 is Volunteer Recognition Week in Pittsburgh; and

WHEREAS, the Greater Pittsburgh Commission for Women's Mentoring Project, renamed the Economic Self-Sufficiency Project

for Pregnant and Parenting Teens, enrolled in the Letsche Education Center, is in its second year of working with teen mothers on developing parenting skills, career awareness, self-sufficiency, and self-esteem; and

WHEREAS, the forty women who have worked as mentors to these young mothers, developing a deep sense of commitment and a desire to focus more energy on addressing teen issues, include Sakina Abdul A'La (Homewood-Brushton YMCA); Patricia Adkins (Temporary Accounting Personnel); Deborah R. Anthony (Duquesne Light Co.); Dawn Marie Brookins (Mellon Bank); Anne A. Brown (Liken Services); Jane D. Charles (H.J. Heinz Co.); Lynette V. Clark (University of Pittsburgh); Patricia Cobbs (Shadyside Hospital); Janet Coleman (City of Pittsburgh); Shirley Craig (Health Related Services); Bette Davis (Duquesne Light Co.); Mary Lynn Douglas (Duquesne Light Co.); Joyceann Farrar (Floral Fantasies); Toni Harper (Sheridan Broadcasting Corp.); Diane Jackson (Daveco Enterprises, Inc.); Sheila Johnson (National Marine, Inc.); Rennee Johnson (Duquesne Light Co.); Lucy Jones (The Video Difference, Inc.); Linda Kelley (Westinghouse Electric Co.); Marsha Little (Road Package Systems); Anne MacFadyen (St. Margaret's Hospital); Elaine Moore (Mellon Bank); Sandra Muchow (Landmark Savings); Eugenia Lavern Newman (Greater Pittsburgh Literacy Council); Marie Helen Pastorius (City of Pittsburgh - Police); Peggy Rafalko (QED Communications); Sheridan Seals (VISTA Volunteer Program); Helen Smalich (United Airlines); Linda Smith (Pittsburgh National Bank); Phyllis Stevens (Neighborhood Legal Services); Mary Beth Taylor (USX Corporation); Bobette Thompson (AT&T Company); Patricia Zengerle (Reuters News Service); Maria Cupido Zlotnick (Presbyterian University Hospital).

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of

Pittsburgh commends the participants in the Greater Pittsburgh Commission on Women's Economic Self-Sufficiency Project for Pregnant and Parenting Teens and congratulates the forty mentors and the teen mothers that are working together for a better future; and

BE IT FURTHER RESOLVED, that Pittsburgh City Council hereby declares April 28, 1992 to be "Greater Pittsburgh Commission on Women's Economic Self-Sufficiency Project for Pregnant and Parenting Teens Day" in the City of Pittsburgh.

Mr. Cohen moved to adopt the resolution.

Mr. Millones seconded the motion.

Which motion prevailed.

Mr. Cohen:

I gave out a resolution like this last year and I'm really happy to do it again this year and the reason is that this is such a successful program. Each of these mentors have reached out and taken time out of their busy days and worked with teens in parenting skills and career skills and, from everything I hear about it, it's a terrific project and I want to congratulate each and every one of you and thank you for doing this.

If Cynthia Chertos, Executive Director, could speak about the problem, I'd appreciate it.

Ms. Chertos:

We wanted to thank everyone on City Council for this wonderful proclamation recognizing the work of the 40 women who volunteer their time through the Mentoring Program that we do for pregnant and parenting teens. Your recognition is very important in terms of helping us let them know how important

the service is ■ the community.

Also, we'd like to publicly recognize the funders of the program since that's really what makes it possible for us. The RK Mellon Foundation provided two years of seed money to get the project off the ground. We recently have receive some money from Pittsburgh Community Services which we know comes from the City. And we'd like to thank City Council for a contribution from CDBG funds which also helps to support this program and it's very important for us.

One name that didn't get mentioned that I want to make sure gets lots of special recognition is Robin Page. Robin is on the end of the group and Robin is the Program Coordinator and has been working very hard on this program for two years and really has made what happens between these adult working women and those teen mothers happen. She really smooths the way and really works with both the teens and the working women to make their relationships better and we owe her a wonderful debt of gratitude.

And then most important are the 40 mentors. As Councilman Cohen suggested, they have all put in lots and lots of time and lots and lots of heart into this program helping to make the lives of 40 teen mothers different than they otherwise would have been, helping them toward economic self-sufficiency. And that is ■ wonderful service to our City.

These 40 teen mothers are all City residents and in educational programming at Letsche School, many of you know right behind Connelly Skill Center on the Hill. It's just a wonderful, wonderful program and these teen mothers are going to be in a better place because of it.

So, thank you again for the recognition for these very wonderful women in our

community.

Mr. Cohen:

Thank you all.

Robin, my apologies. Continue the hard work, please, and we'll give you a proclamation next year. Thank you very much.

Mr. Ferlo:

I'd like the representatives from Nationwide Insurance and MIX JAMZ and WPXI to come up, please.

Mr. Ferlo presents

No. 749 WHEREAS, Prom Promise, sponsored by Nationwide Insurance, is a special program aimed at saving teenage lives and was begun in 1990 in four metropolitan areas with 80,000 students participating; and

WHEREAS, Prom Promise has become one of the most effective programs of its kind in the United States in less than three (3) years; and

WHEREAS, Prom Promise is a program in which high school students pledge to remain alcohol and drug free on Prom Night; and

WHEREAS, in 1990, nearly half of all motor vehicle fatalities among 16 to 20 year olds were alcohol related, according to the National Highway Traffic and Safety Administration; and

WHEREAS, Prom Promise is aimed at reducing that figure, and by making and keeping the pledge, students are doing ■ big favor for their parents -- and for themselves; and

WHEREAS, a total of 628,000 students in the United States signed the Prom Promise this year and more than 20,000 students in the

Pittsburgh area pledged to abstain from alcohol and drug use on Prom Night.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh commends Nationwide Insurance on their idea of Prom Promise and MIX JAMZ - 100.7 and WPXI-TV for supporting the Prom Promise in the City of Pittsburgh.

Mr. Ferlo moved to adopt the resolution.

Mr. Millions seconded the motion.

Which motion prevailed.

Mr. Ferlo:

I think all of us recognize in our communities that hardly a week goes by where there hasn't been some tragedy. I think all of us remember recently a tragedy in the Lawrenceville community taking the lives of four young people.

I don't think any of our families are immune to the problems of drugs and alcohol. It's been over ten years ago that my brother, Adrian, a decorated war veteran and father of five, was killed in an accident involving a drunk driver.

I think all of us have to recognize that we have the concern and part of the effort here today is to work with our young people and recognizing their responsibilities and their obligations.

I think it's important that we highlight the activities of Nationwide Insurance here today as well as the two media outlets for doing something very innovative and going the extra step to show some responsibility back to the community that supports MIX JAMZ as well as WPXI.

We have several representatives here today; Beth Painter, the Regional Publicity

Representative from Prom Promise. We have Mardel Kopnicki from Nationwide Insurance; she's an agent. Ed Schultz from Nationwide Insurance Company also. We have Chris Wegman here, General Manager of my favorite radio station that I wake up to in the morning in spite of O'Brien and Garry, MIX JAMZ - 100.7, and the Clarence Update. And we have Sandy Merit and Steve Cummings and Frank Malone from WPXI - Channel 11.

I'd like to have Chris and maybe some of the other representatives share some thoughts and explain a little bit more fully what Prom Promise is and how young people can get involved.

Mr. Wegman:

Councilman Ferlo, thank you very much for the resolution. WMPX MIX JAMZ - 100.7 and WPXI our co-media sponsor, are very proud to be involved in this event.

The idea of the event is quite simple. It's to have Prom students, our seniors and juniors in high school, to pledge on the night of the Prom to be drug and alcohol free. I'm proud to say that in our first year here in Pittsburgh, we have over 60 schools participating, over 20,000 students signed up, and we expect it to be even bigger next year. There's over 100 agents participating from Nationwide Insurance this year.

I'd now like to introduce Mardel Kopnicki who is going to tell you more about Nationwide Insurance's participation.

Ms. Kopnicki:

On behalf of all of Nationwide Insurance Agents, I'd like to thank City Council for the resolution.

It has been really an exciting event for us

to work together with the students, the parent and the teachers. The whole community has backed the project. This year, in the City as well as the State and the Country, we are going to have a very safe Prom season as well as a very happy prom season. Our students will benefit from the efforts made. Thank you.

Mr. Ferlo:

I just want to thank all of you for coming down and for taking the leadership. Thank you.

Mr. Milliones:

Mr. Ferlo, may I ask someone how many Pittsburgh Public Schools are involved? Do we know that?

Speaker:

There are currently approximately 60 schools in the area.

The Chair:

Thank you all.

Mr. Cohen presented

No. 731 Resolution providing for the execution of a Cooperation Agreement or Agreements with the URA of Pittsburgh for the performance of certain work in connection with the 1992-1993 CDBG Program.

Which was read and referred to the Committee on Planning, Housing and Development.

Mr. Darkins presented

No. 732 Resolution authorizing the Director of the Department of Public Works to grant an encroachment permit to Bell of Pennsylvania for the installation of a telephone

cabinet and two bollards in the right-of-way of Kentucky Avenue in the 7th Ward, 8th Voting District of the City of Pittsburgh. This request is made by Bell of Pennsylvania to upgrade their phone system.

Which was read and referred to the Committee on Public Works.

Mr. Milliones presented

No. 733 Resolution providing for the issuance of a warrant in favor of Arthur L. Young in the amount of \$2,000.00 in payment for professional services rendered to Councilman Jake Milliones, chargeable to and payable from Code Account 1001-2, Salaries, Wages and Services of Council, As Needed, Index Code 100123, City Council District #6.
--(SPONSORED BY MR. MILLIONES)

Which was read and referred to the Committee on Finance.

Mr. Milliones moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Ricciardi seconded the motion.

Which motion prevailed.

Also,

No. 734 Resolution providing for the issuance of a \$1,750.00 warrant in favor of Betty A. Strambler in settlement of claim for property damage incurred as the result of a water main break at 7031 Chaucer Street on February 18, 1991, payable from Code Account No. 46, Judgments.

Also,

No. 735 Resolution providing for the issuance of a \$850.00 warrant in favor of Nellie Pasteryk for automobile damage incurred as the result of a collision involving a City Police vehicle at the intersection of Greentree Road and Wabash Street on December 25, 1991, payable from Code Account No. 46, Judgments.

Also,

No. 736 Resolution providing for conveyance by the City of Pittsburgh of certain property, under Act No. 171 of 1984, entitled, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

Also,

No. 737 Resolution authorizing the sale of 2600 Burgess Street, a/k/a Wilson Avenue, in the 26th Ward of the City of Pittsburgh to the Perry Hilltop Association for Successful Enterprises for the sum of \$10,000.00.

Also,

No. 738 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties, acquired at tax sales in accordance with Act No. 171 of 1984, entitled, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

Which were severally read and referred to the Committee on Finance.

Also,

No. 739 Resolution authorizing the URA of Pittsburgh to file a declaration of taking on behalf of the City of Pittsburgh to acquire title in fee simple to property in the 1st Ward of the City of Pittsburgh for public uses ancillary to the construction and use of a building to house courts

and other municipal offices in the Public Safety Complex and authorizing payment of just compensation and other necessary and incidental costs relating thereto.

Which was read and referred to the Committee on Planning, Housing and Development.

Mr. Ricciardi presented

No. 740 An Ordinance amending the Pittsburgh Code, Title Six - Conduct, Article I - Regulated Rights and Actions, by adding Chapter 620 - Loitering in the Aid of Drug Offenses. ---**(SPONSORED BY MR. RICCIARDI)**

Which was read and referred to the Committee on Public Safety.

The Chair presented

No. 741 Communication from Mary K. Conturo, City Solicitor, submitting the quarterly report of the settlement of small claims not exceeding \$750.00 for the First Quarter of 1992, payable from Code Account No. 1081, Petty Claims. Also, a quarterly report of the settlement of claims in excess of \$750.00 for the First Quarter of 1992, payable from Code Account No. 46, Judgments.

Also,

No. 742 Communication from Michael Perry, City Clerk, submitting the first quarterly travel report for 1992 from various departments.

Which were read, received and filed.

UNFINISHED BUSINESS

The Chair presents

No. 707 Resolution appointing David Matter, 501 Undercliff Road, Piusburgh, Pennsylvania 15221, as a Member of the Water and Sewer Authority Board for a term to expire January, 1995. Mr. Matter is replacing Robert Wilburn.

Which was read.

Mr. Ricciardi moved to approve the appointment.

Mr. O'Connor seconded the motion.

Mr. Ricciardi:

Discussion. On the appointment of David Matter, I am totally support it. I think David is a very talented gentleman. I think he'll be a positive force on the Pittsburgh Water and Sewer Authority. I personally am looking forward to working with him and I take him at his word that he will be independent, that he will be fair and consistent, and I think that's what's badly need now in the Pittsburgh Water and Sewer Authority.

Mr. Ferlo:

Mr. President, I'd like my comments brought forward.

(REMARKS ON FOLLOWING PAGES)

(BEGINNING - MR. FERLO'S COMMENTS ON THE APPOINTMENT OF DAVID MATTER TO THE WATER AND SEWER AUTHORITY BOARD, WEDNESDAY, APRIL 22, 1992)

Mr. Ferlo:

Mr. Matter, I think you're a great leader but I don't think you belong on the Water and Sewer Authority, so I will be voting no on your appointment. And I do think you're great and I have a lot of respect for you even though you're a Clinton supporter but the issue at hand, what the Water and Sewer Authority needs more now than ever before are two things: One, a consumer advocate or activist to protect ratepayers which it does not have. It has a couple people on the Board including my colleague to the right as well as Ann Davis who has been vigilant and have actually begun to ask questions but they need an ally and you're not going to be that ally to the ratepayers.

Secondly, if you can't be a consumer advocate then I think it should be an independent businessperson or somebody from the private sector to begin to ask some of the questions that I know you will not ask or give consideration to. We don't need another appointment from the palace guard representing solely the Administration's viewpoint. I think there are a lot of problems in the Water and Sewer Authority, and a lot of questionable activities that go on with consultants and lucrative contracts that have been given out. I don't think people are properly evaluating the money that has been spent. An example would be the Brilliant Warehouse a \$2.6 million fiasco which somebody should criminally investigate and you're not going to play that role. I have a lot of respect for you and as far as I'm concerned, I'd rather see you on the Planning Commission or the URA or somewhere given your background in development but that's not what we need right now in the Water and Sewer Authority. I'll vote for the first consumer activist-type person that the Mayor sponsors or an independent business-minded person with a financial background who will actually be an independent thinker and with all due respect you will fill neither of those two categories and I will respectfully be voting no even though I like you a lot.

Mr. Matter:

Councilmember, I am sorry that you prejudge my work or the point of view that I might bring to the Pittsburgh Water and Sewer Authority. I frankly have not established a point of view on any of the subjects that you have raised. I do have certain goals in mind that I think are consistent with the operation of the Water and Sewer Authority. I think our first and most important responsibility is to make sure that the customers, the consumers of this community, have safe and dependable drinking water.

Secondly, that we have to make sure that we continue to invest in the infrastructure that we have so that we can continue to deliver that water Number One and Number Two, that we can promote economic development in this community. Number Three, I believe that all of that needs to be done within the framework of a reasonable and equitable and fair rate system. I wouldn't assume as you have that I'm necessarily going to support rate increases which may or may not be justified in your judgment. I am a consumer also. I'm also a employee of a major development company in this city that is a very large consumer of water. It is in my personal self interest, it is in the interest of my company and I believe it is the right thing to do to make sure that water rates or kept at a reasonable level. It's important to keep that utility in this community competitive so that we can continue to grow. So I respect your opinion but I don't share your judgment.

Mr. Ferlo:

Thank you and I agree with everything that you've outlined as the goals and objectives of what a good board member would be and I hope that I'm wrong and you're right regarding how you'll conduct yourself at the Authority since I think it's obvious that you'll win the majority support to be appointed but I don't think that's going to be the case and nowhere is that going to be more glaring than on the issue of the payback to the City which is nothing more than a backdoor tax hike. If you are going to raise taxes you should do it through the front door and not through this lucrative arrangement that the Administration has with the Water and Sewer Authority to basically put back into the General Fund close to \$4 million a year. I mean, if you're going to raise taxes and you bite the bullet and you come to Council and we argue about why taxes should be increased then we should defend it. We have done that on a couple of occasions and on a couple of occasions we have lowered the wage tax. But the arrangement that exists right now where we get a payback of over \$4 million a year is nothing more than a tax increase and I don't think that's what the board members of the Water and Sewer Authority should be voting on. Good luck.

(END OF COMMENTS)

PREPARED BY: MARY ANNE HRUSKA
STENOTYPE REPORTER

Mr. Ferlo:

Regarding the appointment, David Matter is a good administrator. He has left City government after a lot of hard work to take up a position with a private development company.

He is not the person who should be the next appointment to the Water and Sewer Authority and I strenuously object to his appointment for one very good reason. As far as I'm concerned, his appointment to the Board, and possibly even the Chairmanship of that Board, will continue what I would consider spiraling rate hikes as it relates to the water rates. Mr. Matter will not be objective, despite comments from Mr. Ricciardi. He is part of the Old Boys' Network on the other end of the Fifth Floor.

What is needed on the Water and Sewer Authority is somebody that fits either two categories; one, a legitimate consumer advocate who can actually speak up and articulate, along with others on the Board who have been doing that for the last couple of years, including Mr. Ricciardi. I think it's important that a consumer advocate be nominated and selected for the next position on that Authority.

If not, then I would prefer to see somebody from the private sector who actually will represent the concerns of large and small businesses. Mr. Matter will not do that. He is not objective. He is part of the thinking originally that created the Water and Sewer Authority, something that I continue to oppose.

We never needed a Water and Sewer Authority. It's a bureaucracy that continues to be cloaked in secrecy. There is not enough attention given to the Administration to providing oversight of the Water and Sewer Authority. I can point to a lot of horror stories regarding lucrative construction contracts and consultant fees. The progress of the Authority could easily

have been achieved by this Council and the Administration agreeing to float a general obligation bond on those kinds of repairs that were needed.

We've created a big bureaucracy, something I objected to at a public hearing many years ago.

What is needed right now is some new people to be on the Board who are truly independent. David Matter is not going to be independent. David Matter is part of the reason why we even have a Water and Sewer Authority, and I strenuously object to his appointment. It means more water rate hikes and Council cannot on one hand say we're concerned about increasing water rates and on the other hand not use the power that we do have, the appointment process in this case, to make a statement. David Matter should not be appointed to the Water and Sewer Authority Board.

The Chair:

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Onorato
Mr. Darkins	Mr. Ricciardi
Mr. Milliones	Mr. Wagner
Mr. O'Connor	(Pres't)

AYES 7

NOES 1

(MR. FERLO VOTING NO)

And there being a majority of the votes of Council in the affirmative, the appointment of David Matter was approved.

REPORTS OF COMMITTEES

Mr. Milliones presented

Bill No. 743

Report of the Committee on Finance for April 22, 1992 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 674

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of the CSX Corporation, in the amount of Seven Thousand One Hundred Ninety Nine Dollars and Fifty Six Cents (\$7,199.56) for railroad flag protection during repairs to a waterline near Boundary Street."

Which was read.

Also,

Bill No. 677

A Resolution entitled, "Resolution providing for the issuance of a \$2,236.55 warrant in favor of American Rent A Ride, Inc. in settlement of claim for automobile damage and providing for the payment thereof."

Which was read.

Also,

Bill No. 678

A Resolution entitled, "Resolution providing for the issuance of a \$12,940.68 warrant in favor of Robert and Rose Gitzen in settlement of claim for property damage."

Which was read.

Also,

Bill No. 679

A Resolution entitled, "Resolution providing for the issuance of a warrant in the sum of \$30,000.00 to Barbara A. Mozick and Anthony J. Mozick, c/o Thomas Hollander, Esquire, 1311 Frick Building, Pittsburgh, PA 15219 in full and final settlement of an alleged accident involving a fall on ice by Barbara A. Mozick in front of 1934 Dale Street in the City of Pittsburgh on or about January 21, 1989."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen
Mr. Darkins
Mr. Ferlo
Mr. Milliones

Mr. O'Connor
Mr. Onorato
Mr. Ricciardi
Mr. Wagner
(Pres't)

AYES 8

NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 680

A Resolution entitled, "Resolution providing for an Agreement or Agreements with a qualified Management Consulting Firm for professional services in the development of an indirect cost allocation plan for the City of Pittsburgh for a period of three years and providing for the payment of the cost thereof subject to annual budget appropriations."

Which was read.

Also,

Bill No. 681

A Resolution entitled, "Resolution providing for an Agreement with Elmer James Graham and Emma Mae Graham, his wife, for acquisition by the City of Pittsburgh of property of the grahams at No. 8 Queen Street, 24th Ward, City of Pittsburgh, and providing further for certain payments not to exceed \$17,800.00."

Which was read.

Also,

Bill No. 682

A Resolution entitled, "Resolution amending Resolution No. 198, Item B, effective March 11, 1992, which authorized the sale of a structure 42.33' x avg. 117.6' x 70.75' rr., located at 753 Steuben Street, 20th Ward, Block 10C, Lot 276, to Kathy A. Wanat, for the sum of \$7,007.99." (AS AMENDED IN COMMITTEE)

Which was read.

Also,

Bill No. 683

A Resolution entitled, "Resolution Repealing Resolution No. 52, Item B, effective February 10, 1992, which authorized the sale of a two story, brick house situated on a lot 19.1' x avg. 79.36', known as 5020 Blair Street, 15th Ward, Block 56 J, Lot 125, to Construction Plus Inc., for the sum of \$2,000.00, as the purchasers have failed to comply with the agreement of sale. The hand money of the purchasers in the amount of \$200.00 is to be forfeited."

Which was read.

Also,

Bill No. 684

A Resolution entitled, "Resolution Repealing Resolution, approved on various dates, authorizing the sale of properties in various wards of the City of Pittsburgh, in accordance with Act No. 171 of 1984."

Which was read.

Also,

Bill No. 685

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties, acquired at tax sales in accordance with Act No. 171 of 1984, 'Second Class City Treasurer Sale and Collection Act,' effective December 11, 1984." (AS AMENDED IN COMMITTEE)

Which was read.

Also,

Bill No. 687

A Resolution entitled, "Resolution requesting permission to transfer on a quarterly basis, funds from the City-County Integrated Identification System Project(CCIISP) Index Code 250308 to the Community Communications Trust Fund, Index Code 250555, Bureau of Cable Communications, Department of Public Works for reimbursement to the Cable Bureau of expenses incurred while providing photographic services."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Mr. Milliones	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 694

A Resolution entitled, "Resolution providing for

the issuance of a warrant in favor of The Walter H. Drane Company, Tower East-Suite 180, 20600 Chargin Blvd., Cleveland, OH 44122, in the amount of \$12,201.68, in payment for the preparation and supplements to the Pittsburgh Code."

---(SPONSORED BY MR. WAGNER)

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Mr. Milliones	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 708

A Resolution entitled, "Resolution providing for transfer of funds totalling \$75,000.00 (seventy-five thousand dollars) to Premium Pay, Code Account 1160-1, Index code 116012 from Equipment, Code Account 1175, Index Code 117507, all accounts within the Department of Environmental Services. This transfer is

necessary to continue to cover the cost of overtime until the end of the year."

Which was read.

Also,

Bill No. 710

A Resolution entitled, "Resolution authorizing the Mayor and the Director of Finance, on behalf of the City of Pittsburgh to lease to the American Waterways Wind Orchestra, two hundred (200) lineal feet of wharf frontage on the Allegheny River near the foot of the 6th Street Bridge, for a term of one year, subject to a ninety (90) day cancellation clause with year-to-year renewal provisions, at a rental of One Dollar (\$1.00) per year and providing for certain terms and conditions."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Mr. Milliones	Mr. Wagner
	(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Cohen presented

Bill No. 744

Report of the Committee on Planning, Housing and Development for April 22, 1992 transmitting one ordinance and sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 255

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Nine, Zoning District Map No. 11 by changing from 'R3' and 'R4' Multiple-Residence Districts to 'R2' Two-Family Residence, 'R2-T' Townhouse Residence, and 'C3' Commercial Districts certain property generally bounded by Penn Avenue, Roup Avenue, Coral Street, South Graham Street, Friendship Avenue, South Atlantic Avenue, South Pacific Avenue, Amboy Street, Amboy Way, Harriet Street, Corday Way, Gross Street, and Goodwood Way; Eighth Ward."

Which was read.

Mr. Ferlo:

On Bill 255, regarding rezoning parts of Bloomfield and Friendship. The division and dissention regarding this rezoning has been disappointing and disheartening to say the least, but I think overall after reviewing the public record that a majority of the property owners do indeed favor the rezoning of the proposed area.

I do think there are a couple of streets in the Bloomfield community that possibly on that street alone that a majority are opposed to it. But I think it's important for us to review the impact of the proposed rezoning and whether or not it's actually an adverse impact to even those property

owners.

As I stated, I believe overall that the rezoning will help to stabilize and actually improve the viability of both of those two communities and I just want to dwell very briefly and reiterate some of my concerns.

When it really gets down to it, we can remove all the politics and all the rhetoric and look at the actual people involved in this rezoning and what motivates them and what their concerns are.

As I stated at the hearing, I believe that the people who have spent the last couple of years working and trying to garner support doing outreach to their neighbors on the rezoning are basically motivated because they're good people who work in their community and they want to improve their community. I don't know that there's any great hidden agenda.

I think basically people who participate in both community organizations at each end of the neighborhood, be it Bloomfield or Friendship, get up in the morning and they're about the business of trying to maintain a quality of life in their community. They're motivated basically by the instinct of wanting to work to do good things in their community.

In this case, it happens to be some people in the Friendship community who are motivated at wanting to deal with the rezoning as being one more tool that would be at their disposal to try to stabilize a community that is in need of attention.

When we look at some of the comments that we receive at some of the hearings, we have a T.J.C. of Grove Street. I just want to dwell a little bit on this, and I'm quoting this person:

"We moved here ten years ago this month. It was a temporary stay in a

neighborhood we had never thought of much. We liked it so much that five years later when we were ready to buy a house, we wanted to stay, but we wondered about the future of the neighborhood. Old houses, many of them chopped up into apartments for a transient, unstable neighborhood. However, there has been much progress. More owner-occupied homes and people who care about them.

We were convinced that the neighborhood was on the upswing and we would continue in that direction.

The proposed upgrade in zoning is yet further proof that we made the right decision by staying in Bloomfield."

An A.B. of South Pacific Avenue, and I quote:

"I have attended three community meetings, helped to gather signatures of neighbors who are interested in this effort, and I have attended at least two Planning Commission public hearings.

It seems to me that rezoning this area to R-2 will not only ensure the proper maintenance of the neighborhood that the stability of longer term residents, both owners and tenants, can provide, I think that this is a beautiful neighborhood with lots of potential. However, its over congestion will only bring about its demise."

An M.M. of South Atlantic:

"This support stems from the wish to see a greater degree of stability which we think is a criteria for a health family environment. Rezoning will reduce the problems associated with absentee landlords, create a greater sense of neighborhood, and ultimately attract people like ourselves who wish to raise a family in a shared

cohesive community."

An E.M. of South Winebiddle:

"I am getting very frustrated with the rhetoric about our neighborhood. You have in your power the opportunity to be for the people; please show us that this is indeed the case because the Parent Planning Commission cannot come to this decision.

I, along with more than 50 percent of the citizens in this area, want to be rezoned. This will send a positive message to future homeowners that Bloomfield and Friendship is a safe and beautiful place to raise a family and the deterioration of our neighborhood will stop."

A J.D.N. of Harriett Street:

"Our proposal would shield our neighborhood from exploitation and damage by slum landlords."

A B.B.A. of Rupe Avenue:

"My husband and I, along with many other residents, have supported the changes through written comments and our presence at hearings on this issue. We believe that the lower population density the new zoning will ensure will help to make our neighborhood a safer, more stable place to live."

E.N. of South Evaline Street:

"At the public hearing it was apparent that some long-term residents are frightened by what this change will mean for them. In the vast majority of cases, it will, in fact, have no effect. A few people will be prevented from further subdividing their homes or, more commonly, property they hold for investment. This must be weighed against what those additional subdivisions will mean to their neighbors.

The City of Pittsburgh has lost residents and its population is aging. I cannot fathom why Members of Council could even consider voting against the zoning change. It will bring people back into the City, people committed to urban life who will participate in improving the schools, and it will improve the tax base."

In some of the opposition statements, I'll be very brief and I'll try to close, we have a B.G. of Stratford, this is a woman opposed, and I'm quoting:

"The only way I can keep the house is if I rent out. I have four apartments. It is easy to rent two rooms to single; four rooms almost always vacant. No one wants a big apartment, so please let me keep my house the way it was for 60 years."

A J.G. in the affected rezoning area writes:

"This house was purchased and duly approved as a multi-unit and I don't want any change."

An M.T. of South Pacific:

"Keep the area the way it is."

An M.M. of South Fairmont writes a very long letter over the Planning Commission records. Basically he talks in length about halfway houses and absentee landlords and lack of Building Code Enforcement.

After reading the letter, I was wondering why he's opposed because part of the emphasis and the impact of the rezoning will actually be a tool to begin to deal with some of these problems.

We have three or four letters in the record over there who are opposed. All of them live in

Fox Chapel, Allison Park and other places. It's very clear that they own property, to their credit, for investment purposes.

One interesting point, a J.W. from Stratford writes:

"Please hold evening meetings for working people."

I think part of the problem in the organizing around this rezoning is Council, the Planning Commission, maybe even the neighborhood groups, some of the meetings have not been held at convenient times for full participation and I think that's something I think we should be cognizant of.

In closing, a Mr. Kelly of South Pacific writes in opposition that 95 percent of his street is owner-occupied, it is not congested. "We have ten year tenants. Please maintain the status quo."

It's for those very reasons and the opposition letters that I'm for the rezoning. It basically will maintain the status quo.

Those people who live on streets that are primarily owner-occupied or possibly only used for one rental unit, the rezoning will in fact maintain the status quo for them. And as was stated at the hearing, for those individuals who want to continue to go out and seek legal occupancy for multi-family, they have the ability to do that in the one year period.

So, I would ask Council to please consider the importance of this zoning. Obviously, there continue to be critics; I think their criticism is sincere, obviously, and I respect their involvement in the community and their leadership, but I respectfully disagree on this issue.

Mr. Ricciardi:

Mr. Wagner, I appreciate all the work the community groups, the residents, and the two colleagues of mine who represent that area, Mr. Cohen and Mr. Ferlo, have put into this issue. Obviously, a lot of weight on the decision to rezone or not to rezone came from either support or opposition to the rezoning.

As a package, I have difficulty in supporting this bill because I believe many of the streets, it is true, that the overwhelming idea is to rezone, but there are several streets, possibly Gross, Winebiddle and Evaline, where either it was an even split or it appeared that there was a great deal of opposition.

I did ask Director Downing for some information on Friday and, unfortunately, because we did move the meeting up to Monday, she was unable to get me that information. Obviously, I will not be making an amendment to this bill because I don't believe there is support. But as a package I will be voting no because of that reason. I do believe there are two, possibly three, streets that maybe should not be part of this entire package.

But I do concede and I do admit that many of the streets, there are an overwhelming majority of the residents who wish the rezoning. But my concern is the two or possibly three streets that appear to be either evenly split or the opposition in the majority. Thank you.

Mr. Onorato:

Mr. President, this is a very difficult vote because of the two community groups that are at odds with each other, and there appears to be no middle ground.

I'm concerned because of the complaint that I was constantly hearing of how City

Planning handled the whole situation. Even after the preliminary vote I still received calls. I took the calls and I listened to the complaints because I think it's very important to make sure that nothing fell through the cracks and that we knew all the information.

I also took it upon myself to call people on some of the streets that Councilman Ricciardi just mentioned to get a feeling in addition to the facts and the stats that we have seen over the last month. I still believe in my heart that the majority of the people want the rezoning.

However, I don't think that my support or Council's support for this rezoning in any way is telling Bloomfield or Friendship groups that we feel that guidelines and lines are changing for what represents your neighborhood. I, in no way, am sitting here today saying that Bloomfield's boundaries are shrinking. I wouldn't support that and I don't intend to support that.

I am voting strictly on the merits of the rezoning. I think that if you look at the merits, the people that live in the district can keep the status quo. There is also this one year period that anybody can come forward and go to Planning and request a change or variance. However, that's where the catch comes in. The concern from a lot of people that are against the bill is that they won't get a fair hearing. They feel that they will present it within a year and they will hit a wall; they'll be stonewalled and they won't get the variance that they're promised, a fair hearing.

I intend to look into some of these allegations that were made. I intend to see if it's true that there are three or four individuals that have been on hold for over a year that requested over more than two occupancies in this area. I intend to sit down with the Director to see if all these allegations are true. And, I am especially going to look over the next year of anyone, especially a resident that has been in the area for a

long time, comes forward and requests the variance to see who opposes it, who sits across the table and says they're against it.

I know there was no agreement, no signed agreement stated that we will let anybody walk in for one year and get the variance that they request. However, there's a thing called good faith. And there's an understanding here that this is very delicate and that everyone should have a fair shot to address the issues on both sides. That's why the Code has this year.

So, I will be following it for the year and I would hope that anyone that goes to the Planning and hits a wall and has problems, please call my office because I'll be the first to go down there to investigate it with them.

I would like to comment, too, on the public hearing. Councilman Ferlo quoted two individuals, one from each side of the issue.

I would have to say that before the public hearing, a lot of the residents from Bloomfield that have been there a long time felt that this wasn't a zoning issue and that there was a group trying to change and move in and actually push out some of the long standing citizens. I don't believe that, but I have to go on record to say that some of the testimony from the people in favor did more harm or promoted that image more than I would appreciate. I could quote several people here that I was outraged at the testimony. It was removed from the issue of zoning, it got personal and it sounded like it was very elitist times. I'm not saying everyone said this but I'm saying there was testimony that confirmed the complaint.

What I'm saying here, I'm looking beyond both sides of the testimony and the personal outrage here and I'm looking at the merits of the zoning. I think it's good. I think we're going back to a zoning that was in place that Bloomfield was built under before the 1958

Zoning Code, and I'm voting on those merits only.

But, I think that everyone on this Council should look over the next year to make sure that everyone does get the fair shot that they're entitled to.

Mr. Cohen:

Mr. President, I made a long speech last Wednesday and I am not going to repeat that speech here today, but I do want to say that this is a long road. I have listened to both sides, talked to many people on both sides, and this is a difficult one for me, obviously, because the vast majority of people on both sides live in my district and the district that I'm proud to represent.

The reason that I'm voting for this is because I truly feel after looking at all the facts and all of the documents that have provided and talking to lots of people in the district, that the people in the affected district want it and I think that it will help to stabilize and improve the neighborhoods. I was elected to fulfill a responsibility and that responsibility is to do what I think is right and what I think will help and improve the neighborhood.

At the same time, I don't look at this at all as a Bloomfield versus Friendship issue. People who spoke on both sides, people who have been active on both sides, all care about their neighborhood and they all care about the same neighborhood. That's the irony of this whole issue, that the people who spoke and who have been active by and large are people who have been working hard to improve that part of Pittsburgh. That's why it has been so difficult, I think, for me, to see the hostility and bitterness that has existed between those two groups.

For anybody who still may not understand the ramifications of this bill, they

have to realize that anybody who has more than two units who has an occupancy permit will not be required to take any of those units away.

And particularly with respect to the people that Councilman Ferlo mentioned who occupy their homes and need rental income, those people will not have to take away any unit as long as they have an occupancy permit. And everybody has an occupancy permit except 4 to 8 properties. And I offer today, like I did last Wednesday, to walk those people through the process. There is a one-year grace period and I'd be happy to help walk them through that process of getting an occupancy permit. I hope they do. I hope they bring their buildings up to code to be able to do that. It's a one-year grace period that the Zoning Administrator has committed to abide by.

Councilman Onorato, I would like to know about people who have had difficulties going through that process because I would like to go through it with them and make sure that they don't hit a brick wall. That's very important because we both have to be operating in good faith.

Finally, Mr. President, once this vote is over, which is going to be very shortly, I would like to see both sides try to work together to heal the wounds that have been created through this issue. I think they can. They're all good people and they all care about their neighborhood and they're all trying to work to improve it. I think that can be done.

This isn't the Bloomfield versus Friendship issue. My goodness, we just heard right now that City Council today, upon my initiative, is authorizing \$8,000 for the Bloomfield Senior Citizen Center which is being improved.

What we're trying to do is improve the

entire neighborhood and I think we can do it and I would love to see both sides work together to try to heal those wounds.

Mr. Ferlo:

I'd like my comments brought forward on this bill.

Mr. Cohen:

Please bring my remarks forward also.

Mr. Onorato:

I also would like my remarks brought forward on this bill.

(REMARKS ON FOLLOWING PAGES)

(BEGINNING - MR. COHEN'S COMMENTS ON BILL NO. 255, WEDNESDAY, APRIL 22, 1992)

Mr. Cohen:

This bill, as everyone knows, involves the rezoning of parts of Friendship and Bloomfield. It was initiated at the Planning Commission and it involves a rezoning from "R3" and "R4" certain sections of that neighborhood to "R2".

We had a huge public hearing here about a week ago I believe with approximately 100 speakers at that public hearing. There was a great deal of hostility and bitterness on this issue which has led to overblown claims on both sides. What I have tried to do Mr. Chairman is to separate fact from fiction, truth from falsehood, not only because of my position on Council and as Chairman of this committee, the Planning, Housing and Development Committee, but also because I represent the area that's proposed to be rezoned and I'm proud to represent that area.

The fact is I believe Mr. Chairman from all of the information that we have available is that the people who live in the affected area support this bill. That is the property owners who will be directly affected by the bill. We don't have a perfect survey of each and every property owner but we do have a fair amount of information.

The Planning Department received letters from 77 property owners in the area out of which 60 or 78 percent of them who are in favor and 17 or 22 percent were opposed. They also received petitions from 250 property owners in favor which represents approximately 61 percent of all property owners in the affected area.

Of course we were all there at the public hearing to hear people speak and these statistics are from our Planning Department, that of the 96 speakers, 26 of them at the hearing actually owned property in the affected district and of those 26, 22 or 85 percent of them spoke in favor and 4 or 15 percent of them spoke in opposition.

I think that the reason the majority of the neighborhood support this bill is because there has been an energetic effort by many of the residents to preserve and revitalize their neighborhood. This rezoning will help in that process by arresting some of the decay in housing by affording absentee landlords that don't maintain their buildings and by making it a more attractive neighborhood.

Down zoning can have this effect and in fact in this particular neighborhood the zoning that existed from 1923 until 1958 when the Zoning Code was passed was exactly the zone that's

being proposed here. At the time it was called a "B residence zone" but it's the same as "R2". So that is why I favor this bill and why I believe that the people in the affected district favor this, but we also have to put this in perspective. It isn't going to save the neighborhood and for the people on the other side it's not going to ruin the neighborhood. What is going to save the neighborhood, and I'm absolutely convinced of this after spending two years in City Council, is for the residents to be good citizens and for city government to be able to support them in their efforts and that includes crime control by having an effective police department and effective block watches and includes residents maintaining their properties in the city, being hard and enforcing the Building Code and includes residents cleaning up their yards and the City doing something about cleaning up the streets, basically being good neighbors and the City being an effective and responsible city government.

The irony of all of this for me is that nearly all of the people who spoke at the public hearing are doing just this. They're being good neighbors and they're working to try and improve the neighborhood. The same is true of everybody who is here on both sides as I know each and every one of you and the one thing that all the speakers had in common was that they care about their neighborhood and they are working hard to preserve their neighborhood and try to improve it and that's why it's so sad in my view that there has been such hostility and such bitterness. If this passes today I want to say something to the people who are fearful of this bill that if we vote to rezone today despite all of the rhetoric that we have heard on both sides no one will be hurt. I'm absolutely convinced of that and I'd like to explain it briefly.

There are 409 properties in the affected district and of those 409, 303 or 81 percent are already conforming to the "R2". The reason for that is obvious because the neighborhood was "R2" called "B Neighborhood" from 1923 to 1958 so many of them already do conform.

There are 76 properties in that area that do not conform but of those 76, between 68 and 72, depending to whom you speak, already have valid occupancy permits. That leaves between four and eight properties. Now those that have valid occupancy permits, even if they have more than two units, they will not have to decrease their units at any time even if they sell or purchase the property. That is something that I think has been lost in this whole process. So that leaves between four and eight properties out of all of those that don't have valid occupancy permits probably, although I haven't looked at them, because they don't comply with the Building Code. And even though this is a very small number, I do believe we should be concerned about those properties and there is a one year grace period in the law, I have it right here and I have spoken at

length yesterday with Jim Brown and other people, the Zoning Administrator's Office, there is a one year grace period, Jim Brown has committed and his office has committed that he will abide by that law, that it's a grace period for owners of those properties that don't have valid occupancy permits to bring their properties up to code, and I would like to lend my support also to those people that I would be happy to walk them through the process to be able to get them valid occupancy permits.

In short Mr. Chairman, I think this rezoning is the right thing to do but I think we have to keep it in perspective too. It's not going to save the neighborhood and we all have to work together to be able to do that but I'm also confident that no property owner who cares about his or her property will be hurt by this. I hope that after this vote is over that both sides will make an effort to heal the wounds that have been created by this process. You both care about the same neighborhood for the same reasons and we need to work together to be able to improve it. Thank you, Mr. Chairman.

(END OF COMMENTS)

PREPARED BY: MARY ANNE HRUSKA
STENOTYPE REPORTER

(BEGINNING - MESSRS. FERLO AND ONORATO'S COMMENTS ON
BILL NO. 255, WEDNESDAY, APRIL 22, 1992)

Mr. Ferlo:

I'm not going to be asking any questions so I would like a little more time and I'll try to be brief.

Conventional wisdom says that because a vocal majority of residents who live outside the area at issue today but within my own Council District are opposed to the rezoning then it should be clear what my vote will be on this matter. My vote today is not one of political expediency but rather a reflection of what I believe to be the merits and the justification for the proposed rezoning of parts of the Bloomfield and Friendship communities. Council Bill No. 255, if enacted by a five-vote majority of Council, would change the zoning classification for various parts of the Friendship and Bloomfield communities.

Specifically, one large commercial parcel which fronts on Penn Avenue in Garfield and is split in half with two different zoning classifications would be appropriately and completely zoned "C3" (commercial) which is what it has actually has been and will remain.

Secondly, portions of the Bloomfield and Friendship communities that are presently zoned "R3" and "R4" will be reclassified "R2" and a few parcels that are contiguous to the recently created "R2-T" District will be changed from their present "R3" classification to a more appropriate "R2-T" designation. It is important to note that the existing characteristic of the overwhelming majority of properties in the area proposed for a zone change are single and two-family homes with many of them being owner occupied. This quality has helped to make this residential area stable and desirable and an attractive place to buy a home; but this delicate balance is being threatened by natural conflicts between owner occupied residences and residences that in many instances are acquired for investment purposes and are expanded to allow multi-tenant occupancy.

According to City Planning documentation:

The predominant use in this area is one and two-family residential. Of these, 46 of the single-family uses have occupancy permits, as do 60 of the two-family uses.

A total of 116 properties are not in one or two-family use. Of these, 19 are non-residential (e.g. parking, institutional facilities, vacant land or buildings), and the remaining 135 are in multiple use. Forty-four of the existing multiple family uses have inadequate lot area, and were not permitted as a use

by right. Twelve of the multiple family uses either have no occupancy permit, or are in violation of their existing permit.

The potential for additional conversions of single family residences to multi-family uses in the area proposed for rezoning is limited. There are 39 properties in single family use that have lot area adequate for multiple family use, and many of these are relatively small structures that would not lend themselves to conversion.

Property owners in favor of the rezoning who responded to the Planning Department's questionnaire, number 41, and those objecting, number 7. Additional names of owners who both support and oppose the rezoning have been received but I believe that a meaningful majority of actual property owners living in the district are in support of the proposed zone changes.

According to a city planner, 333 properties in the proposed district are single or two-family properties. Only 19 percent of the properties in the area are multiple-family units. Only 8 multiple-family structures did not have occupancy permits. All but 8 of the remaining properties have legal occupancies for multi-family use and these properties and their current uses will be grandfathered in and permitted in the newly zoned areas for decades to come. While they will technically be listed as non-conforming, the economic viability of these properties--their ability to generate income for those struggling to maintain investment properties--will not be diminished. Also, those who would seek to come into compliance with any new zoning designation and obtain a legal occupancy permit have up to one year from the adoption of the zone change to make application to the Zoning Board. In cases where inadequate lot size is problematic the owner still has the right to appeal to the Zoning Board for a variance.

Despite some objectionable and unfortunate community organizing tactics employed by both proponents and opponents of the rezoning, I will be voting for and I encourage all of my colleagues to support the rezoning. I believe the rezoning could become a necessary tool and one of the ingredients needed to stabilize the residential character of these two viable and valuable neighborhoods. Rezoning will assist residents in both communities, regardless of their differences, to market their neighborhoods to interested families and individuals as a stable and liveable community that is on the upswing and not another Pittsburgh neighborhood threatened with deterioration and abandonment. Despite some residents changing their initial vote of support and some voting in support of something that I believe they did not fully understand, I believe, based on my review of all of the written records in City Planning, and the calls received in my office, that a meaningful majority of the actual property owners in the actual affected districts now up for a vote, support the rezoning initiative. Unfortunately,

groups lobbying for and against the rezoning have blurred the merits of rezoning with a host of issues, albeit important ones, which have made it difficult for some to focus in on the actual impact of the decision we are being asked to render.

I believe people who are for the zone change are motivated by a desire to maintain and improve the residential liveability of their community. People who have been out there for the last couple of years -- they just didn't wake up in the morning and say "Gee, I think I'll engage in a two-year battle to create a lot of havoc and dissention and problems". I think we have to look at the motivation here on both sides. People within the BCC and on the so-called Bloomfield side of the "Berlin Wall" are just as hard-working and have a sincere view about their neighborhood and they have a different style and they have a different body politic than maybe the other side of the "Berlin Wall", but both groups basically have a sincere motivation albeit a different style and tactics to try to improve their community.

So I think those who went about working for the last few years to support the rezoning were basically motivated by a desire to be active in the community, to try and improve the residential quality and liveability of their community and I think it's important to look at motivation. We're not talking about power grabbing here and vested interests of big landlords. I think basically we had some sincere people who think it's in their best interests to support the rezoning.

We have a lot of letters and comments in which I'll defer on making those comments today and I'll try to close by saying the following:

Written comments are from opponents generally stating that they wanted the area to stay as it is. In fact, several letters used the phrase that they want to keep it "status quo". Some of the letters of the opponents questioned why the consideration now but they didn't explicitly state what their objection was and some of the letters stated that they didn't want to rezone to create hardships for the elderly trying to rent their property. One individual, J.G. of Parcel 51-C, Lot 33 states that this house was purchased and duly approved as a multi-unit and I don't want any change."

Rezoning in fact will maintain the status quo for those single and two-family owner occupied units and at the same time will not infringe on the right of property owners who have legal occupancy permits to continue to generate valuable income they need to maintain their property.

To rezone or not rezone should be evaluated and decided on its merits and not on parochial neighborhood boundary lines or "neighborhood group" power politics. I greatly admire, respect,

and have enjoyed working with the leadership of the Bloomfield Citizens Council, but I respectfully disagree with their assessment and decision on this particular issue. I will continue my best effort to work with any group or any individual that has a sincere desire to work together to improve the quality of life in the City of Pittsburgh.

Mr. Onorato:

When this issue first came up I met with both groups being for and against the rezoning. I sat through the public hearing. After the public hearing I met and spoke with both groups again and I had a problem with a lot of the statistical data we were reviewing. A lot of the letters I received, I probably have a file this high in my room from both sides and I'm sure there are some truths and non-truths in that file. So I stepped back and weighed through all of the facts that I had and listening to the statistical data we heard today which I won't repeat because I have in front of me, I honestly believe that the majority of the people in the proposed district that's going to be changed do want the change.

I feel that the zoning change will be good for the community and I base my decision on the fact that the zone requirements of this district before the 1958 code change were basically identical to what the change is recommending and Bloomfield and Friendship, regardless of where you draw the line, grew and developed under that old zone. It's an older neighborhood and it's a unique neighborhood and a close-knit neighborhood.

I feel also that there are safeguards for the concerns of the Bloomfield group. I stated earlier there is a one-year grace period for anyone that would like to apply for a multi-unit occupancy. There is also a grandfather clause for anyone that already is above two units and finally, even after a year expires you still can go to the Planning Commission and request a variance. So there is a procedure to address the concerns.

I was so concerned on this issue that I also took it upon myself to call relatives and friends that I know that live in the Bloomfield area to get their input and it was very interesting to hear the people for and against, they were also split. But the bottom line is the area that is in question, I still believe the majority want the change and the change is good.

The big problem that we heard at the public hearing and I heard outside the public hearing are code violations which definitely have to be addressed. I would hope that both groups once this settles can work together to address the problems with

the Building Inspection and to enforce the codes that the City has on the books.

The big concern that I have is that these two groups can eventually come together. Until today, I heard that my colleagues also support the vote for the change in zoning. I would like to state that this isn't unique to Friendship or Bloomfield. These zoning disputes happen all over and we have many disputes in my district on the Northside where community groups are split, institutions and community groups are split. I hope that I can make a decision on what I think is best for the community and best for Pittsburgh and I think in this case the zoning change really brings back the zone that was in place before the 1958 change for the whole city so in the long run I think both groups will benefit and hopefully they can move ahead together.

(END OF COMMENTS)

PREPARED BY: MARY ANNE HRUSKA
STENOTYPE REPORTER

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Ferlo	Mr. Onorato
Mr. Milliones	Mr. Wagner
	(Pres't)

AYES 6 NOES 1

(MR. RICCIARDI VOTING NO)

(MR. DARKINS ABSTAINING)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 633

A Resolution entitled, "Resolution amending Resolutions Nos. 507, 706, 956, 1148 and Resolution No. 1221 of 1991 and Resolution No. 211 of 1992 for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1991 Community Development Block Grant Program, so as to reprogram funds under City Council."

Which was read.

Also,

Bill No. 634

A Resolution entitled, "Resolution amending Resolution No. 97, effective February 28, 1992 entitled 'Resolution providing for an Agreement or Agreements with Catholic Youth Association for minor rehabilitation of their Senior Center, in an amount not to exceed \$3,000.00,' so as to increase the amount appropriated from \$3,000.00 to \$4,000.00."

Which was read.

Also,

Bill No. 635

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Black Contractors Association for administrative/operating assistance at a cost not to exceed \$5,000.00."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Mr. Milliones	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 636

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Black Vietnam Era Veterans for administrative/operating support in an amount not to exceed \$5,000.00."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably in law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Mr. Milliones	

AYES 7 NOES none

(MR. WAGNER ABSTAINING)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 637

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the

Bloomfield Citizens Council for administrative and/or operating assistance at a cost not to exceed \$9,000.00."

Which was read.

Also,

Bill No. 638

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Boys & Girls Club/Smart Moves for administrative/operating support in an amount not to exceed \$10,000.00."

Which was read.

Also,

Bill No. 639

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Boys and Girls Club/Swimming Pool for administrative/operating support in an amount not to exceed \$3,888.00."

Which was read.

Also,

Bill No. 640

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Brashear Association for administrative-operating assistance of their multi-purpose facility assisting elderly and low income persons at a cost not to exceed \$5,000.00."

Which was read.

Also,

Bill No. 641

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Center for Victims of Violent Crimes for administrative/operating assistance at a cost not to exceed \$5,000.00."

Which was read.

Also,

Bill No. 642

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Catholic Youth Association for minor rehabilitation and purchase of equipment/furniture for the multi-purpose senior center, at a cost not to exceed \$7,000.00."

Which was read.

Also,

Bill No. 643

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Carriage House for handicapped improvements and rehabilitation in an amount not to exceed \$8,000.00."

Which was read.

Also,

Bill No. 644

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Greater Pittsburgh Commission on Women for administrative assistance in operating its services in an amount not to exceed \$2,500.00."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Mr. Milliones	Mr. Wagner
	(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 645

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Council Care for administrative assistance and operating funds of their Adult Day Care Program in an amount not to exceed \$3,000.00."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably

to law, and were:

Ayes:

Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Mr. Milliones	Mr. Wagner
Mr. O'Connor	(Pres't)

AYES 7 NOES none

(MR. COHEN ABSTAINING)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 646

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Friendship Development Associates, Inc., for administrative/operating support of their 'Housing Information Program' in an amount not to exceed \$7,000.00."

Which was read.

Also,

Bill No. 647

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Golden Triangle Radio Information Center for administrative support in operating radio programs serving elderly, homebound elderly, unemployed, and disabled in an amount not to exceed \$3,000.00."

Which was read.

Also,

Bill No. 648

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Greenfield Organization for administrative support in operating programs serving elderly and low income residents in an amount not to exceed \$17,988.00."

Which was read.

Also,

Bill No. 649

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Health Agency Coalition for administrative/operating assistance at a cost not to exceed \$3,000.00."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Mr. Milliones	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 650

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Hill Community Development Corporation for acquisition and architectural assistance of a building to be used in their development and revitalization programs at a cost not to exceed \$12,000.00."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Onorato
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Mr. O'Connor	(Pres't)

AYES 7

NOES none

(MR. MILLIONES ABSTAINING)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 651

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Hilltop/Mt. Washington Meals on Wheels for

administrative/operating assistance at a cost not to exceed \$7,000.00."

Which was read.

Also,

Bill No. 652

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Homewood Art Museum for site preparation/construction of a storage facility at a cost not to exceed \$4,000.00."

Which was read.

Also,

Bill No. 653

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Jewish Home and Hospital for financial assistance in the operation of their program in an amount not to exceed \$5,000.00."

Which was read.

Also,

Bill No. 654

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Kingsley Association for administrative/operating assistance at a cost not to exceed \$5,000.00."

Which was read.

Also,

Bill No. 655

A Resolution entitled, "Resolution providing for

an Agreement or Agreements with Lincoln-Larimer-Lemington-Belmar Citizens Council for administrative/operating support of their 'Housing Information Program' in an amount not to exceed \$38,888.00."

Which was read.

Also,

Bill No. 656

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Neighborfair Kids Watch for administrative/operating assistance in an amount not to exceed \$3,000.00."

Which was read.

Also,

Bill No. 657

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Pittsburgh Recovery Center for administrative/program support in an amount not to exceed \$4,000.00."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen Mr. O'Connor
Mr. Darkins Mr. Onorato

Mr. Ferlo
Mr. Milliones

Mr. Ricciardi
Mr. Wagner
(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 658

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Pittsburgh Trust for Cultural Resources for administrative/operating support, in an amount not to exceed \$5,000.00."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen Mr. O'Connor
Mr. Darkins Mr. Onorato
Mr. Ferlo Mr. Ricciardi
Mr. Milliones

AYES 7

NOES none

(MR. WAGNER ABSTAINING)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 659

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the St. Clair Athletic Association for rehabilitation of their Senior Center in an amount not to exceed \$6,000.00."

Which was read.

Also,

Bill No. 660

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Salvation Army - Northside Corps for administrative assistance in operating their food distribution program in an amount not to exceed \$10,000.00."

Which was read.

Also,

Bill No. 661

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Sickle Cell Society to provide administrative/operating support to the Agency in an amount not to exceed \$9,000.00."

Which was read.

Also,

Bill No. 662

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Southside Local Development Company for administrative/operating assistance at a cost not to exceed \$11,800.00."

Which was read.

Also,

Bill No. 663

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Southwest Pittsburgh CDC for administrative/operating support of their 'Social Services Program' in an amount not to exceed \$19,800.00."

Which was read.

Also,

Bill No. 664

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Three Rivers Employment Agency for administrative assistance in operating their 'Employment Training Programs' in an amount not to exceed \$45,560.00."

Which was read.

Also,

Bill No. 665

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Ursaline Center for administrative support in operating programs serving elderly, homebound elderly, unemployed, disabled and child care center, in an amount not to exceed \$3,000.00."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Mr. Millionses	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 666

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Vietnam Veterans' Leadership Program for support of their counseling services to homeless veterans at a cost not to exceed \$17,000.00."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato

Mr. Ferlo
Mr. Millionses

Mr. Ricciardi

AYES 7

NOES none

(MR. WAGNER ABSTAINING)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 667

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Vintage, Inc., for administrative assistance and operating funds of their Adult Day Care Program in an amount not to exceed \$12,000.00."

Which was read.

Also,

Bill No. 668

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Washington Heights Ecumenical Food Bank for administrative assistance in operating their food distribution program in an amount not to exceed \$5,000.00."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Mr. Milliones	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 669

A Resolution entitled, "Resolution providing for an Agreement or Agreements with West End Elliott Joint Project for administrative/operating assistance at a cost not to exceed \$8,000.00."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Mr. Milliones	

AYES 7 NOES none

(MR. WAGNER ABSTAINING)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 670

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Westside CDC for administrative/operating support in an amount not to exceed \$6,888.00."

Which was read.

Also,

Bill No. 671

A Resolution entitled, "Resolution providing for an Agreement or Agreements with YMCA/Garfield Branch for the operation of their food pantry, feeding and housing counseling programs in an amount not to exceed \$5,000.00."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Mr. Milliones	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Ricciardi presented

Bill No. 745

Report of the Committee on Engineering and Construction for April 22, 1992 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 689

A Resolution entitled, "Resolution further amending Resolution No. 1415, effective January 1, 1991, as amended, entitled 'Adopting and approving the 1991 Capital Budget and the 1991 Community Development Block Grant Program and approving the 1991 through 1996 Capital Improvement Program,' by increasing EC 91-553 (South Tenth Street Bridge Rehabilitation) by \$314,000.00, from \$236,000.00 to \$550,000.00."

Which was read.

Mr. Ricciardi:

On Bill 689, we have before us a response to some of our colleagues' questions and it was clocked in at 11:12. I'll defer to my colleagues if they would like that bill recommitted if they didn't have an opportunity to read Director Sciulli's response. If my colleagues do not make a motion to recommit, however, I'm ready to vote on this.

The Chair:

If I may comment on the bill, Bill 689 and 690 pertain to the South Tenth Street Bridge of which there was some discussion last week in Committee. I want to thank Director Sciulli for getting a memo to us, as we requested, pertaining to various issues. Sometimes that doesn't happen and I know our meeting was moved up a day so that could have been the reason why it got here late.

I agree, Councilman Ricciardi, that I would not want to hold up this legislation because of the importance of redoing this bridge and knowing that we have other bridge problems in the City. However, I am somewhat disappointed that Point No. 4, we keep talking about connecting the City to our waterfronts but we're really not doing that as it relates to higher levels of government involved in putting up dollars to accomplish that.

The South Tenth Street Bridge is an important bridge that could easily be connected to the Monongahela River waterfront. We do not have any kind of connection from that bridge or several other bridges going south or west in the City. Therefore, I think that should be part of this bridge project.

What the Director is saying in his memo is that it's not part of it; however, it could be added at a later time. I don't think we could wait very long and I don't think it needs to be added specifically today to this bill, but what I would request from our Capital Budget Office, and John Mascio is with us today, is that we make an amendment to the Capital Budget, a modest amendment, that would include sufficient dollars to add a stairwell to the South Tenth Street Bridge on the south end of the bridge at a minimum and connect it with the South Side Riverfront Park, and that we make that amendment sometime in the near future. And I would be hopeful that

Council would support that amendment.

Also,

Bill No. 690

A Resolution entitled, "Resolution further amending Resolution No. 626, effective July 3, 1991, entitled 'Providing for a Cooperation Agreement or Agreements with Allegheny County for the City's share of the costs for improvements to City-owned facilities located within and being part of the County-owned South Tenth Street Bridge; and providing for the payment of the costs thereof,' by increasing the total project allocation by \$314,000.00, from \$236,000.00 to \$550,000.00."

Which was read.

Also,

Bill No. 691

A Resolution entitled, "Resolution further amending Resolution No. 1327, effective December 23, 1982, as amended by Resolution No. 820, effective September 30, 1983, as amended by Resolution No. 612, effective August 3, 1989, as amended by Resolution No. 637, effective July 5, 1990, entitled, 'Providing for an Agreement or Agreements, or Supplemental Agreement or Agreements, with a Consultant or Consultants for Engineering Services in connection with the Rehabilitation of a portion of Ft. Pitt Boulevard - Eastbound and the Rehabilitation of the Market Street Overpass; providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation; and providing for the payment of the cost thereof,' by increasing the total project allocation by \$450,000.00 from \$526,000.00 to \$976,000.00."

Which was read.

Also,

Bill No. 692

A Resolution entitled, "Resolution adopting Official Sewage Facilities Plan revision for The Allegheny County Jail and Pittsburgh Public Safety Complex located on Second Avenue between Grant Street and Brady Street and Parkway East."

Which was read.

Also,

Bill No. 693

A Resolution entitled, "Resolution adopting Official Sewage Facilities Plan revision for the Housemaster Beltzhoover Project located at the corner of Cedarhurst and Delmont Street in the 18th Ward of the City of Pittsburgh."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen
Mr. Ferlo
Mr. O'Connor

Mr. Onorato
Mr. Ricciardi
Mr. Wagner
(Pres't)

AYES 6

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

The Chair presents

No. 750 Resolution appointing Louis G. DiNardo of 6024 Wellsley Avenue, Pittsburgh, Pennsylvania 15206, as Director of the Department of Public Safety.

Which was read.

The Chair:

I would ask with the approval of Council that we have Mr. DiNardo in front of Council this coming Wednesday at 2:00 p.m., if that's okay with everyone. Thank you.

Mr. O'Connor:

Real quick, Mr. President. I had a resolution set today for Adam Maloney who lives in the Swissheim Park district of Pittsburgh. Through our change of schedules, we were unable to get together and I hope to have him here next week.

He is battling cancer and this Sunday at the Hilton there's a dinner for him, a Tribute to Courage, which will be attended by baseball's Dave Dravecky, the Steelers' Gary Anderson, Gold Medalist Jeff Blatnick. It will be hosted by Bill Hillgrove. I just wanted to bring it to the attention of Council.

It will be May 3rd. If any of his friends and neighbors want to attend, for information for this worthwhile cause, you can call 241-4375 and I hope to have him here next week. Thank you.

Mr. Ferlo:

I just want to take the opportunity to thank all the volunteers that worked this weekend on neighborhood clean up, not only in my neighborhood districts but I'm sure all Councilmembers were involved in the process and to thank NeighborFair for their hard work.

But I especially want to thank the volunteers who year after year come out and do a lot of hard work cleaning up.

The only other thing, I want to thank Commander Moffatt from Zone 5 Police for making two arrests in relation to our favorite subject, graffiti vandalism. As we know, we've spent hundreds of thousands of dollars, in fact \$1.6 million, on the renovations to Dean Field. The building itself has been vandalized with graffiti as well as other problems that are being worked on by the Administration. But I do want to thank Commander Moffatt for treating the problem seriously and for making arrests in relation to graffiti.

Mr. Cohen:

Mr. President, there was some publicity last week about the notion of combining the Urban Redevelopment Authority and the Planning Department that came out of the Mayor's Office.

I am concerned that this Council has not been briefed in any way about that issue. If we make that move, that of course is a very, very significant move for the City in terms of combining development strategy with planning strategy.

And I would like us to have a post agenda meeting with a representative from the Administration, with George Whittier, the head of the URA, and with the Director of City

Planning to see what's on their minds, to discuss with them what their plans are and how they plan to go about it.

I think this Council has a right to be briefed on that and if any move like that is afoot, we certain should participate in that decision. It would be a very important decision for the future of Pittsburgh planning and development, and I think we should have a post agenda and sit down and talk about it.

The Chair:

Councilman, would you like to do that this week? I have asked that question of the Mayor's Office and they have said it's not immediate, but they are considering it. Therefore, should we do that this week or next week? Deal with the Public Safety this week and possibly that issue next week?

Mr. Cohen:

Why don't we do that. Why don't we do Public Safety this week and Planning and Development next week. But I think that even if they're not ready to make an announcement yet, we should know what they plan to do and discuss it with them and try to set a course before they make their announcement.

The Chair:

I agree.

Mr. Ferlo:

On the same issue. Pursuant to that possible merger, I would like the Clerk to obtain a copy of the State statute regarding Planning Commission Authorization which I think very clearly states that it should remain autonomous and separate from any development or other kinds of governmental function or department.

So, I think we need to have a copy of that State statute for our review.

The Chair:

Mr. Perry, would you please communicate in letter form to the Mayor's Office that we would like a post agenda on that issue, not this week but next week? And obviously we need the Mayor's Office representation, Mr. Turner or Mr. Mistick or both, plus the URA --

Mr. Cohen:

Yes, and Jane Downing, George Whitner and, I think Councilman Ferlo raised a good point, that we should have Mary Conturo there too.

The Chair:

Thank you.

With the approval of Councilman Cohen, I'd like to schedule a post agenda this Wednesday, possibly after our meeting. I know we have a 2:00 meeting Wednesday but if we could schedule one for 4:00 pertaining to the expansion of Station Square.

Several Councilmembers were part of a briefing last week, and their assistants, on that expansion and, from what I've read in the newspaper, I'm not pleased that that project has the priority it should have.

I think we need to have a post agenda and get Mr. Armstrong here from the Planning Commission, Jane Downing, the Assistant Director, Mr. Farmer, obviously Mr. Ziegler - is there anyone else you can think of at this stage - and talk about this expansion.

One of the reasons I would like Mr. Farmer along with Jane Downing is that there's

obviously a little discussion publicly going on about the new bridge and where the bridge will cross. I think Council needs to be briefed also on that as to what Planning is looking at, what the alternatives are ■■ to how that bridge touches into Downtown Pittsburgh, and how it relates to Station Square.

If possible, I'd like to schedule a post agenda for Wednesday afternoon after our Standing Committee Meeting, if that's in agreement with Council.

Mr. Cohen:

I think now is the right time and, if people could put it on their schedules, it makes sense to do it.

I wholeheartedly agree with you. I think that that project has been stalled and we need to set a fire under the people who need to move on it and I think that will help do that.

The Chair:

Mr. Perry, also Mr. Sciulli, because there's a lot of discussion here on where this intersection is in terms of progress for West Carson Street to access the other end of Station Square.

Mr. Ferlo:

Just a side issue that I'm going to be raising later on at the appropriate time, but obviously I support the expansion of Station Square and all the good work that Pittsburgh History and Landmarks is doing, but I know that this may be one of the first projects, and maybe Mr. Cohen can correct me, where this tax increment financing will be utilized hopefully. I do believe that there's some write-off that's needed for participation by the other taxing bodies.

This being a newer form of financing nationally around the country, I know that issues that municipalities have legitimately raised this issue of even though you have ■ tax increment financing supported by the local municipality, what actually will be the written guarantee by the developer. In this case it would be Pittsburgh History and Landmarks or the Station Square Complex or whatever corporate entity that's going to be doing this.

Again, I'm going to be in support of the project but if this is going to be the first and, hopefully, a series of tax increment financing proposals, I am concerned that there be proper guarantees in place to safeguard the municipality. I believe that this is ■ doable project and everything suggests, as far as their business plan and their track record, that it will be ■ profitable venture for the City and the School District, recognizing the revenues.

But there may be situations and there may come a time in the coming years where some more questionable development projects will be financed with this tax increment financing method and I'm concerned that we have proper safeguards because ultimately we would have to take out of the general fund operating dollars to cover the proposal.

So, I am concerned structurally about what is going to be in place regarding this issue of a guarantee. And I'm concerned about comments that Mr. Ziegler made at the Planning Commission saying that there would be no guarantees and it's basically on us. That's fine, but I think there should be some guarantees on the part of the developer, in this case a developer that has some credit worthiness. And I'm concerned that this being the first package, that it be done in the right way for the City taxpayers.

So, I want to support the project, but I'm

also concerned that Council provide some oversight on what the actual financing package will be. And if it is indeed tax increment financing, we need to safeguard a municipality in the general operating budget because there are going to be other projects that will come forward that maybe will not be as financially sound and doable.

So, I'm going to be asking those questions at the appropriate time regarding the Station Square deal, and I don't want to do it in any way that suggests that we shouldn't be supportive or anything like that. But I do want to safeguard, and I'm concerned about my role on Council safeguarding the operating fund.

Mr. Cohen:

Mr. President, because it's such a complicated area, we are going to have a briefing on tax increment financing for all of Council with George Whitmer and with Evan Stottard, not to say that this will satisfy all your questions, but I don't know where that is right now. But I think we are planning to have a briefing on that for all of Council.

And I think it might make sense to have it be a two-step process; one, at least with respect to me, to learn as much as I can about tax increment financing; and then at the regular legislative process asking questions about those particular projects.

So, I hope we can schedule that fairly soon.

The Chair:

I agree. I would hope that we wouldn't cloud this issue with tax increment financing because Station Square is too important of a project for us to hold up for any reason, even that new potential financing mechanism. That's one

of the reasons why I think we need the post agenda because I have never known of a development in excess of \$120 million where a developer is to put up that kind of money, and they're asking for the City to contribute with infra-structure enhancements to the tune of \$4 million. The return on our investment is incredible. And we constantly try to attract companies and developers here when, in fact, we have right in front of us a magnificent development that simply needs to be enhanced and the opportunity to do that.

So, I know there's been discussion about this development being a prime development for tax increment financing. I would like to see it move forward faster than that is proposed to move forward with an intersection built immediately. We have all these bridge projects moving forward. You won't be able to get into Station Square if we don't have a new intersection immediately.

Mr. Ferio:

I just want to clarify. Again, I'm not in any way suggesting to hold up. I'm only asking that if the tax increment financing is the route, I am concerned that this developer provide a guarantee, just as much as if it turns out. It may be the case that the only way we're going to do the Armstrong Square is through this methodology or some of the other marginal development projects, and I want to have that guarantee in place. I think it's something that we need to look at.

As far as helping Station Square, we've done that even recently with the refinancing of the expansion of the parking garage. We've forgiven them valuable revenue we would have gotten back with our Urban Development Action Grant re-interest payments that would have gone to neighborhood based development projects. So, we've always been supportive but I think we

need to provide safeguards.

Mr. Onorato:

One final comment on the tax increment financing. I agree that that shouldn't hold up the project and I don't want to confuse the two issues. But, if I'm not mistaken, when we were briefed on the Station Square Expansion right here in Council, one of the comments made by Director Whitmer was that the tax increment financing is taking a little longer than expected and that was because they're dealing with three taxing bodies.

At that time, I recommended and suggested that maybe we could form a committee where all three taxing bodies have a representative and they could deal with them as one, as opposed to three separate presentation.

I'd like to know that the status is, if any, if they're moving forward to try to speed that process up because it does affect three or four projects that I know of where tax increment financing is involved.

The Chair:

How about if we make that part of our discussion at the post agenda on Wednesday.

Mr. Onorato:

That would be great.

The Chair:

Good.

Mr. Cohen moved to excuse Michelle Madoff for absence from the meeting.

Mr. Onorato seconded the motion.

Which motion prevailed.

And on the motion of **Mr. Cohen**

Council adjourned.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

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Tuesday, May 5, 1992

No. 18

Municipal Record

ONE-HUNDRED TWENTY-SEVENTH COUNCIL

JACK WAGNER President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER.... Asst. City Clerk

Pittsburgh, PA
Tuesday, May 5, 1992

PRESENT:

MR. COHEN	MR. O'CONNOR
MR. DARKINS	MR. ONORATO
MR. FERLO	MR. RICCIARDI
MICHELLE MADOFF	MR. WAGNER
MR. MILLIONES	(Pres't)

The Meeting was opened by the recitation of the Pledge of Allegiance to the Flag of the United States of America, and a moment of silent prayer for peace throughout the world.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Darkins presents

No. 766 WHEREAS, the Pittsburgh Hill District American Association of Retired Persons, Chapter #4706, will receive their official charter on May 7, 1992, at 12:00 p.m. at the Hill House Auditorium; and

WHEREAS, the Pittsburgh Hill District AARP, Chapter #4706, was created on February 27, 1990, to provide a community-based organization that is sensitive to the needs of citizens 50 years of age and older; and

WHEREAS, AARP is a non-profit partisan, integrated membership whose members are committed "To Serve, Not To Be Served".

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh commends its founder, Mrs. Lottie Hoskey, for organizing the Pittsburgh Hill District American Association of Retired Persons, Chapter #4706, and further congratulates the Chapter for acquiring membership in the National American Association of Retired Persons.

Mr. Darkins moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

The Chair:

We're going to deviate slightly from the agenda to accommodate some people on tight schedules.

Mr. O'Connor presents

No. 767 WHEREAS, during this month of May, the Nation will observe "Older Americans Month" in recognition of the vital contributions Senior Citizens have made in communities across this great country; and

WHEREAS, the City of Pittsburgh's Citiparks Senior Center Program will participate in this national observance through its "Senior Center Week" from May 11 through May 15, 1992; and

WHEREAS, recognition is due to those Senior Citizens who participate in the City of Pittsburgh's Citiparks Senior Center Program and who utilize this program to promote and provide mutual support, companionship, recreation and independence; and

WHEREAS, special recognition is due to those members of Citiparks' "Over Ninety Club" and Gemma Omogrosso, the only member of the "Century Club" who are active participants in Senior Center programs up to three times per week. The members of these clubs serve as shining examples to all Senior Citizens that life in their golden years can be fulfilling and meaningful; and

WHEREAS, this Council hopes that the Senior Center Program will continue to promote the health, wellness and independence of the Senior Citizens residing in the City of Pittsburgh and encourages and welcomes participation by all of the City's Senior Citizens.

NOW, THEREFORE, BE IT

RESOLVED, that the Council of the City of Pittsburgh wholeheartedly supports the observance of "National Older Americans Month" and Citiparks' "Senior Center Week". This Council is also grateful to all those Senior Citizens who have given of themselves throughout their lives for the betterment of this great nation and the City of Pittsburgh; and

BE IT FURTHER RESOLVED, that the week of May 11 through May 15, 1992 be declared "Citiparks Senior Center Week" in the City of Pittsburgh.

Mr. O'Connor moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

Ms. Valanti:

Hello. My name is Lydia Valanti and I'm a Program Supervisor with Citiparks. This is Anthony DiCeasaro; he is from our Mount Washington Center and he's 96. And this is Gemma Omogrosso; she's from our Beechview Center and she is 101 years old.

I want to thank City Council for this resolution and this recognition and I'd like to invite everyone down to the lobby of the City County Building today at noon where we're going to continue our recognition on our Older Americans Month celebration. Thank you very much.

Mr. DiCeasaro:

Thank you all. You have a good organization. You know, you have good people. We thank you, the City of Pittsburgh. You have good times, good health, a good life and God bless you.

Ms. Omogrosso:

I thank you, everyone in the City of Pittsburgh. We spend the day over there. I'm so old, you know, but I don't like to stay home. So, I go over there, spend my day, do something if I want to.

If God wants, on October 24th I'll be 102. It's a long life.

Thank you very much for everything you've done for me. Thank you all Councilmen, Jack Wagner, Gene Ricciardi, all. Thank you very much.

Mr. O'Connor:

I hope you don't stay out too late. They have a curfew on you.

Mike Senko is here. He does all the work and I'd like to recognize him. Mike, thanks for all your work.

Mr. Ferlo:

I'd like Jim Yahner to come up from the Pittsburgh Mediation Center, Chairman of the Board of Directors.

Mr. Ferlo presents

No. 768 WHEREAS, May has historically been declared "Mediation Month" to promote mediation as a constructive, low to no cost, cooperative, non-adversarial alternative for dispute resolution; and

WHEREAS, mediation is a dispute resolution alternative to traditional, adversarial legal suits in which a neutral, third party, the mediator, facilitates a process which allows disputants to design a mutually acceptable agreement of resolve; and

WHEREAS, the Pittsburgh Mediation Center is a non-profit, community-based organization that promotes mediation and conflict management through public education, mediator training, and technical assistance to community organization; and

WHEREAS, volunteer mediators are trained by the Mediation Center and are available to mediate disputes; and

WHEREAS, during "Mediation Month", the Pittsburgh Mediation Center will host a series of programs focusing on the theme of "Youth - Countering Violence and Prejudice".

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby declares the month of May, 1992 as "Mediation Month"; and

BE IT FURTHER RESOLVED, that the Council commends the Pittsburgh Mediation Center for their continuing contribution to making alternative dispute resolution available to the people of the City of Pittsburgh.

Mr. Ferlo moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. Ferlo:

As you know, Council consistently for the last several years has amended the budget to include an annual contract award I believe of about \$25,000 for the Pittsburgh Mediation Center.

Irene from my office, who is an attorney, is very active with the organization and she herself is a volunteer mediator. And I know from

working with a lot of neighborhood groups, and I think all of us in Council share this experience, this Center has been invaluable in helping to deal with conflicts that have arisen in the community, whether it be neighborhood groups that are having a dispute or individual residents, neighbor against neighbor, school situations, problems that we have experienced recently in the Lawrenceville community, the Pittsburgh Mediation Center is there.

Recently, as a result of their work with the Public Safety Department, and Irene has told me that now Police Officers are handing out these cards when they come into situations, especially family situations where there is obviously a problem, that there is a solution and there is a creative way out. It doesn't have to involve lengthy litigation that really is unproductive.

So, at this time I'd like to invite Jim Yahner to say a few words about the Center.

Mr. Yahner:

On behalf of the Board, the staff and the volunteers of the Pittsburgh Mediation Center, I would like to thank the City of Pittsburgh not only for helping us in the May Mediation Awareness Month but also for the on-going support for the last 11 years for mediation within the City.

A well-briefed Councilman took away almost anything that I could possibly say.

There will be a conference throughout the City. There are many, many events throughout the City and Allegheny County offering informational awareness of mediation as an alternative in conflict resolution.

I'd like to thank you again for helping us to make people aware and to use mediation and for your support. Thank you.

The Chair:

I'd like to announce the presence of a singer-songwriter from the Jackson Five who is in town to film a mini-series for ABC, "An American Dream" - Jermaine Jackson. Welcome to Pittsburgh.

Mr. Ferlo:

Mr. President, if I could just deviate on one point. I believe earlier we were treated with the presence of Jermaine Jackson, one of the Jackson Five, and I thought maybe it would be appropriate, even though we don't have a resolution, that we declare this "Jermaine Jackson Day" in the City of Pittsburgh in light of the fact that he's made a major contribution with the production of a movie. I'd like to make that in the form of a motion.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. Jackson:

Thank you. On behalf of my family and myself, I would like to say thank you for having me here in Pittsburgh. I've always been very fond of this City because I admire the Pittsburgh Steelers for their four time championships. So, I am a true Pittsburgh fan.

I'm here because my family is doing our life story and we picked some wonderful locations here in Pittsburgh. I've been here quite a few times during the Jackson Five days and during the Victory Tour, and I know certain people who live here. I'm having a wonderful time here. It's a great City and I'm very happy to be here, thank you.

Mr. Ferlo:

Jermaine, I think we're all available to be extra's in that movie if you need any. We got to get the Bishop in there to.

Moving right along, I have two more proclamations today. May I have the representatives Earl James, who is the Executive Director Elect of the World Federalists Association and Marie Kocoshis, representing "GASP" as well as "GRIP" to come forward.

Mr. Ferlo presents

No. 769 WHEREAS, our planet is under assault by environmental hazards such as ozone layer depletion, greenhouse warming, hazardous waste, and deforestation; and

WHEREAS, in June 1992, the United Nations Conference on Environment and Development, or Earth Summit, will convene government leaders, citizen organizations and institutions from around the world for the purpose of executing international agreements aimed at protecting the earth's environment and securing sustainable economic development; and

WHEREAS, Earth Summit cannot succeed without the full participation of the United States, as the U.S. is a dominant player in the global economy and creates a large share of the world's pollutants; and

WHEREAS, the final round of negotiations in preparation for Earth Summit presents the last opportunity for President Bush to fully commit the United States to Earth Summit; and

WHEREAS, the U.S. should partake in international agreements that:

-reduce the threats of climate change and

biological loss, by agreeing to stabilize CO2 emissions at 1990 levels,

-support a mechanism for monitoring compliance with international environmental agreements,

-promote citizen organization participation in environmental and developmental decisions at all levels,

-establish programs aimed at global transition to sustainable energy systems.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby urges President Bush to make the United States a leader in the effort to preserve and protect the global environment by participating fully in Earth Summit, leading the U.S. delegation, and joining the international community in signing agreements to preserve and protect our global environment for generations to come.

Mr. Ferlo moved to adopt the resolution.

Mr. Ricciardi seconded the motion.

Which motion prevailed.

Mr. Ferlo:

At this time I'd like the representatives to say a few words and further amplify on the importance of Earth Summit.

Mr. James:

Thank you, Mr. Ferlo. I'd like to make two points on this issue. If the whole notion of the global Earth Summit seems a little bit out of touch, and you wonder why local governments might be participating I simply want to say it's extremely important that local governments participate and urge President Bush, and our other leaders of this country to take part in this

Summit.

One reason is, I think no urban area knows better than Pittsburgh with its experience in the last ten years, that there's no such thing as a purely local economy again.

The agreements that are being forged at the Earth Summit will have repercussions in the international, and our national, and local economy. Maybe not immediately but in the years to come this will happen, and we really need to be there to protect our interests.

Secondly, I just want to emphasize one point that Jim read and that is the capping CO2 emissions at 1990 levels. For some reason President Bush has resisted agreeing to this. It's something that we can do immediately. We are capping them. In fact, why we can't agree to it as a country, as a member of the International Community, I can't understand.

But again I want to thank City Council very much for this resolution and we will make sure that it is sent to Washington and any other place that it can have an impact. Thank you.

Ms. Kocoshis:

I also want to thank City Council for passing this resolution and I wanted to mention that we have several sponsoring organizations of this resolution that worked very hard to get this before City Council, and I'd just like to enumerate them as you know there is a little buzz word phrase that's been going everywhere, "think globally and act locally" and to this end we have these local organizations who got together to put this before City Council and the City of Pittsburgh and those organizations are: The World Federalists, represented by Earl James; Clean Water Action, Pennsylvania Environmental Council; GRIP-Group for Recycling In Pennsylvania; GASP-Group

Against Smog and Pollution; The Rachel Carson House in Homestead; and the Conservation Council of the Fox Chapel area.

I think this shows a variety of groups that are interested, concerned about this problem and I thank you all very much.

Mr. Cohen:

Thank you Mr. President, if I may very quickly. I just want to take a moment to congratulate both of you for the symposium that you had at Station Square, I guess it was a week ago last Sunday for Earth Day. It was really a terrific presentation of all of our environmental problems and what we can do to solve them.

I'd like to congratulate Earl James also on your new position. You're really out there being visible and I think doing a lot to spread the word within the community, congratulations.

Mr. Ferlo:

Coming back to the homefront on the theme of "thinking globally and acting locally" I'd like to bring up our next representatives concerning a problem with the good old Conrail organization.

We have Don Buck, Assistant General Chairman, of the Brotherhood of Railroad Signalmen, AFL-CIO and Dennis Boston, Assistant General Chairman, of the Brotherhood of Railroad Signalmen, AFL-CIO with us today.

And this is the continuing concern expressed by many Council members over the years regarding the safety of our rail system.

Mr. Ferlo presents

No. 770 WHEREAS, Conrail has applied to the Federal Railroad Administration

(FRA) for approval to retire the signal system on the Conemaugh Line between Pittsburgh, PA and New Florence, PA; and

WHEREAS, in connection with its application, Conrail intends to eliminate the double track on the Conemaugh Line; and

WHEREAS, the reduced capacity of the Conemaugh Line will directly impact the City of Pittsburgh because trains will be rerouted to the Main Line which runs through Pittsburgh; and

WHEREAS, the Main Line should not be subjected to increased usage because it runs directly through densely populated urban areas, there have been two Conrail train derailments in the Bloomfield corridor of the Main Line in the last five years, and by Conrail estimates, there are approximately 4.6 rail cars per train containing hazardous materials that are transported annually on the Main Line; and

WHEREAS, even if the Main Line was not to be impacted, designalization of the Conemaugh Line should be opposed because without the signal system conductors will not receive information about the condition of rails and there will be a greater possibility of derailment; and

WHEREAS, derailment of trains transporting hazardous waste on the Conemaugh Line is a direct threat to the City of Pittsburgh because the rail runs along the Allegheny River which provides drinking water to residents of the City of Pittsburgh; and

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby object to Conrail's application to retire the signal system on the Conemaugh Line; and

BE IT FURTHER RESOLVED, that the

Council does hereby urge all residents and public officials to attend an FRA-Federal Railroad Administration public hearing on Conrail's application set for 10 a.m., Thursday, May 28, 1992, in room 200 of the Federal Building.

Mr. Ferlo moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. Ferlo:

Thank you so very much. Again, I'm planning on being at the public hearing, and I would hope that we could send this proclamation to some of other elected officials, especially those at the Washington, D.C. level.

At this time I'd like to turn to Don Buck and Dennis Boston just to amplify a little further on the importance of the resolution, and the potential of safety hazards associated with the elimination of one of the lines and the increased traffic through the Pittsburgh corridor.

Mr. Boston:

I want to thank Council for approving this and if there's anything we can do before the hearing to help you I'd be glad to do that.

Like the Councilman said the hearing is May 28th over at the Federal Building and we urge all of you to be there. I'm going to turn it over to Don Buck.

Mr. Buck:

Thank you. I'd like to review where the Conemaugh Line runs just for your general information. It starts up at what they call Con-Pitt, it comes down through the Blairsville area, Saltzburg, Apollo, Vandergrift, Leachburg,

Kisky, Freeport, Harris, West Tarentum, Springdale, Acme, Harmer, Aspinwall, Sharpsburg, Etna, Herr, which is down around Federal Street, which is in the City of Pittsburgh. As its coming down the river as you know it does pass a lot of our water companies that get their water from that river.

In 1977 when Conrail was born the federal government issued a multi-million dollar loan to the railroad to regain financial foothold. At that time the Conrail decided to upgrade the signal system on the Conemaugh Line the line between Pittsburgh and New Florence so the trains could run more safely.

At the present time what they're planning on doing the money that they spent on that safety they want to remove those signals and convert it to a manual block system. With that you're getting rid of the technical advantages that you had through a signal system. You have one man who is in Greentree that will be in charge of running the trains in that area. At that time they are going to remove -- they have two tracks there now which they're able to run both directions, they're going to remove one of those tracks without a signal system. So, that naturally is going to increase the traffic coming down the main line, which ties in up at what they call Con-Pitt where the Conemaugh starts and comes down through Bloomfield.

Councilman Ferlo said that we had two derailments in the last five years. I worked for Conrail as a C&S Inspector, I have seen five in the last 40 years that I've been on the railroad, and that was the large derailments. There's also been smaller derailments that you do not know anything about.

Whenever you have a signal system over on the main line down in the Bloomfield area, when a train is derailed on one track if he is laying over on another track that automatically drops the

signals down. If there is no train and it is fouling the tracks by not shorting the tracks out then whenever we come on the job and no that there is a derailment, we are able to open up the signal system and stop trains from running into the derailment that would cause a larger catastrophe.

I again would like to thank Council for this opportunity and appreciate your support. Thank you, very much.

Michelle Madoff:

I don't remember if anybody else was on Council at the time of the Bloomfield derailment, but I was at the -- were you there Jack? I was at the hearing that John Heinz held, as you may recall down in the Strip District and he was appalled at the kind of garbage that was coming out of the rail lines, and the fact that they weren't responsible.

And at that time I started to because of my environmental days to put together a study on tracking hazardous materials across the United States. And one of the things I learned, you can use and it is fact, is the reason they don't report most of the accidents, you know you say only what we hear about the major ones is that it would take a whole newspaper every single day to report accidents in the country.

There are computer chips that can track the hazardous materials but more important even then that is that when they go in a high densely populated areas, we are going to have to protect our populations.

And one of the ways to do that will be to have payment made to have somebody whether its a city police officer, state, county police officer ride with that train to make sure it goes very, very, very cautiously and slowly through the high density population areas.

We have been lucky that nobody has been killed. We are lucky the communities haven't been evacuated for a long period of time or people killed.

The Bloomfield episode is not unusual, we were lucky. I was there with Dick Caliguiri and I remember we couldn't breathe, and you couldn't get to close to it. This is something you don't think about and say gee what if.

We need the Administration through our President to perhaps take an injunctive action to say no, we must have the proper signalization. The onus of proof has to be on the railroad to prove that what they're doing the mechanical system is going to do the job. We have to hire a consultant for the City to protect the people of this City. That's not an expensive proposition because that is well known, well documented information in the literature, and we better do it now. I can't think of anything more important and so I would suggest that a letter be attached to the resolution asking the Administration and the Law Department to intervene before this takes place and to take some injunctive action.

The Chair:

Thank you, I'd just like to add one brief comment. I'd like to compliment Councilman Ferlo for presenting the resolution. I was unaware of this.

Furthermore, this is so ridiculous its like a trucking company suggesting that a highway be eliminated that is an alternative route, and funneling everything through the main line meaning this time the City of Pittsburgh. In terms of safety this is a suggested unsafe condition. Thank you gentlemen very much.

Mr. O'Connor:

Sisters, would you please come up. This

is quite a personal honor for me to have the sister here. I'm a board member and I have a lot of love and respect for all the work they do. We've worked tirelessly especially -- Ray Warner's here who thought of the "Courage to Come Back" campaign which is this week.

We're having a big dinner on Thursday night. Fortunately its sold out, but if anybody wants to contribute we have these in quite a few establishments across the City. All the money goes for those who can't afford to pay for their hospital bills. In fact, we have them in all the Pappan's and Roy Rogers' restaurants, so if you stop in you not only get good food, you can donate to a good cause.

Mr. O'Connor presents

No. 771 WHEREAS, in 1865, three nuns of the Order of the Sisters of St. Francis, established St. Francis Hospital in the City of Pittsburgh with the purpose to provide much needed health care to the poor and underprivileged of the City. For over 100 years the Sisters of St. Francis and St. Francis Hospital have fulfilled that mission. Over the years, St. Francis Hospital has become an internationally recognized leader in the treatment of alcoholism and mental illness, as well as for its advances in industrial medicine, heart surgery, laser surgery and nursing education; and

WHEREAS, Saint Francis Health System began the "Courage to Come Back" award program in 1988, in order to honor individuals who have suffered from devastating accidents, illness, injury or addiction and in their recovery, they have so demonstrated their courage that their peers have nominated them as models of hope for others; and

WHEREAS, the "Courage to Come Back" program is designed to raise funds in order to provide financial assistance to people

receiving treatment at St. Francis Hospital who are without the financial resources to do so. Thus far, \$1,700,000 has been raised during the Program's inception; and

WHEREAS, Pittsburgh Steeler great and representative of the "Courage to Come Back" program, Rocky Blier, is serving as Program Chairman of a Special Awards Dinner with Co-Chairmen, Louis Pappan, John Connelly, James C. Roddy, and C. Michael Blackwood. On May 7, 1992, the above mentioned will present the 1992 Courage Awards to:

Carolyn Adams
Carole Blakeley
Anthony Razzano
Shelia Gold-Burton

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh commends the St. Francis Health System and the "Courage to Come Back" program for its vital and much appreciated efforts to better the lives of the citizens of Pittsburgh. This Council also joins with them in extending our best wishes and congratulations to this years award winners for having the Courage to Come Back.

Mr. O'Connor moved to adopt the resolution.

Mr. Onorato seconded the motion.

Which motion prevailed.

Mr. O'Connor:

Clayton Sweeney, Chairman of the Board of St. Francis Health System will accept the award.

Mr. Sweeney:

President Wagner, Members of Council,

on behalf of the Board of Trustees of St. Francis Medical Center and the Sisters of St. Francis of Millvale, we wish to thank you for this recognition.

This is the fifth year of the "Courage to Come Back" program as conceived by Ray Warner who is on the left over here, and it has been as Councilman Wagner points out, tremendously successful. It has been successful in two ways of which we are quite proud.

Number one, it has raised \$1.7 million. But perhaps more importantly it has recognized each year four persons who had the courage to come back that was so amply demonstrated by Rocky Blier after he was wounded in Viet Nam and came back to be the great football player he was here in Pittsburgh. These young people are neither as large nor famous as Rocky, but they have just been great and the four awardees are equally as good as the previous ones. And again we thank you, very much.

Mr. Onorato:

At this time I'd like to call up the boys from Nativity. Mr. President, while they're walking up I'd like to clarify for Councilman Ferlo that Jermaine Jackson does not live on the North Side.

Mr. Onorato presents

No. 772 WHEREAS, the Nativity J.V. Boy's Basketball Team coached by Stan Duncan and Art Kim was undefeated in the 1991-92 season; and

WHEREAS, the team brought pride and honor to their school not only by winning both the Section and the Diocesan championships but by displaying good sportsmanship and teamwork; and

WHEREAS, Matt Carr, Scott Duncan, Antonio Gatto, Chris Kim, Matt Limmer, Maurio Medley, Chuck O'Neill, Brad Ravenstahl, Luke Ravenstahl, Sean Regan, Dan Schwartzbauer and Paul Steigerwald also won first place in the three tournaments they entered including St. Bart's in Penn Hills, St. Mary's in Lawrenceville and St. Cyril's on the North Side;

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh recognizes and congratulates the Nativity J.V. Boy's Basketball Team for completing a successful championship season.

Mr. Onorato moved to adopt the resolution.

Mr. Ricciardi seconded the motion.

Which motion prevailed.

Mr. Onorato:

Mr. President, I think we have two speakers here, one will be Brad Ravenstahl who is the son of the District Justice Bob Ravenstahl who's in the back here, and Sean Regan who is the son of your former colleagues Mr. Regan. First Brad Ravenstahl.

Brad Ravenstahl:

Hi, my name is Brad Ravenstahl. I am very honored to be a part of Nativity of Our Lord grade school, and I am very proud of our team and all the fans that have supported us throughout the year. And a special thanks to the cheerleaders that kept us in the spirit. And thanks to City Council for having us receive this award. And to my parents, Sister Roberta my principal, Father Frank my pastor, and all teachers, "Lets Go Pens". Thank you.

Sean Regan:

My name is Sean Regan. I am very proud to go to Nativity of Our Lord school on the North Side. I'd like to thank all the Councilmen for giving us the opportunity to come downtown and receive this award. I'd like to thank all the cheerleaders and fans that helped us throughout the year. I'd like to thank Mr. Duncan our coach for coaching us to undefeated season. We wouldn't have been able to win the Diocese if it wasn't for the Nativity spirit, thanks again. "Lets Go Bucs".

Mr. Duncan:

That's a hard act to follow. On behalf of the Nativity J.V. Boy's Basketball Team who worked very hard this past season with discipline, desire, determination and prayer power to win the Diocesan Championship, and to go undefeated throughout the whole year. I would like to thank Councilman Dan Onorato and the City Council for this honorable award.

I would also like to thank our Principal, Sister Roberta and our Pastor, Father Frank. Thank you.

Mr. Onorato:

And now I'd like to call up Girl Scout Junior Troop #597. Both groups had a tour of the Mayor's office and her conference room today.

Mr. Onorato presents

No. 773 WHEREAS, Girl Scout Junior Troop #597, led by troop leaders Mrs. Lois Payne and Mrs. Angie Spudich, participated in a community service project in conjunction with Bellvue Suburban Hospital; and

WHEREAS, the 27 girls who are members of Troop #597, as a part of this community project, visited the skilled nursing unit facility every month; and

WHEREAS, the Girl Scouts of Troop #597 began the project in May of 1991 and have consistently given of their time to visit with the patients; and

WHEREAS, Hazel Schwab acted as a liaison and coordinated all schedules in order to get the girls back and forth to Bellvue Suburban each time a visit was made to the facility; and

WHEREAS, the troop leaders and girl scouts planned and carried out such activities with the patients as bingo, arts and crafts and gift giving; and

WHEREAS, the girls of Scout Troop #597 have given of their time, energy and love to brighten the lives of the patients residing at the skilled nursing unit facility.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh recognizes the work of Girl Scout Troop #597 in this community service project and commends them for their humanitarian efforts.

Mr. Onorato moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. Onorato:

At this time I'd like Lois Payne to come forward and make a few comments.

Ms. Payne:

On behalf of our troop we would like to thank Mr. Onorato for supporting this resolution and recognizing the fine work of these girls.

We have 27 girls, we're extremely active, we live in the Brighton Heights of Pittsburgh. I'm very proud of these girls because we wanted to do a project that would involve more time and effort on their part, and to allow them to help people less fortunate than themselves.

I'd like to have Hazel Schwab who did most of the work connected with setting this up to come forward and also Angie Spudich my co-leader.

Ms. Schwab:

It's been a pleasure working with the girls and I'm just glad I could help, thank you.

Ms. Spudich:

I would like to thank the parents for their support that they have shown our troop and I would like to thank the girls.

The Chair:

Any of the young ladies want to say a few words?

Ms. Payne:

Can we introduce them and tell you their names?

The Chair:

Sure.

Ms. Payne:

We'll tell you each girl's name: Adrienne Dennial; Amanda Wilmeth, Marissa Gurgy; Amy Pullen; Amanda Spudich; Stephanie Haler; Jennifer Gysler; Megan Schwab; Christa Hoffman; Stephanie Martin; Sarah Sladick; Mary Catherine Hughes; Michele Macrina; Christa

Breskovitch; Melinda Helt; Hillery Fale; Melanie Payne; Sonny Lee Shannon; Sarah Berony; Katie Kutchbaugh; Sarah Pappas and Mary Sutton. Thank you very much.

The Chair:

We have one final resolution to be read and voted on, and two read into the record.

I'd like to ask Ellen Yarnell to please step forward to receive this resolution. Ellen is the Executive Director of INPEX, which is the largest invention show and product show in the United States that occurs here annually in the Pittsburgh region. Welcome Ellen.

The Chair presents

No. 774 WHEREAS, today's society is rapidly changing with constant advances in science, technology and the way we live; and

WHEREAS, Pittsburgh continues to seek and develop innovative technologies in order to remain competitive with the rest of the nation and the world; and

WHEREAS, institutions such as the University of Pittsburgh, Carnegie Mellon University, Pittsburgh High Technology Council, Pennsylvania Small Business and countless Pittsburgh area hospitals and corporations are committed in the advancement of technology through innovation; and

WHEREAS, Pittsburgh is hosting INPEX VIII, the largest invention and new product show in the United States, and THE BUSINESS SHOW, the area's leading business trade show, from May 14-16, 1992 at the Expo Mart in Monroeville; and

WHEREAS, INPEX VIII and THE BUSINESS SHOW are expected to have 5000

attendees and in excess of 600 exhibitions, including delegations from 16 foreign countries; and

WHEREAS, INPEX VIII and THE BUSINESS SHOW are certain to attract domestic and international attention to one of America's most prominent technology and business regions.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby proclaims the week of May 10, 1992 to be Innovation Week in the City of Pittsburgh.

Mr. Milliones moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

The Chair:

Thank you, Members of Council. It's an honor for me to present this resolution. I've presented each and every year, and I do that because this is truly a great convention. It's one of the finer in the world that occur and Ellen and her staff have done an excellent job in the past to really bring people into Pittsburgh that have never been here before, and to show people what we're all about. Really, how advanced this City is, how great this City is. She has done an excellent job. The young people that were here today and really literally anyone in the Pittsburgh community should consider to attend this convention.

It's a convention of new ideas. All kinds of new ideas and truly that's what makes America competitive with the world. People coming up with new ideas and new ways to do things. Using our minds to be competitive and to move forward. It's an honor to have you here Ellen. I

plan on attending the convention and Ellen's going to shed additional light on the convention.

Ms. Yarnell:

I'd like to thank the Pittsburgh City Council again for acknowledging INPEX and the Business Show and especially Jack for his support. But, I'd just like to take one minute also to commend the City of Pittsburgh and the people of Pittsburgh for its reaction to the events in Los Angeles. I think the City of Pittsburgh stands head and shoulders above other cities and we need to be proud of our reaction, and I just want to say that publicly.

The other thing that I'd like to say especially for Michelle's benefit is that this year that we're proud to announce that 14 representatives will be here from Wan-Hang, China, The Association for Science and Technology. They'll be coming to INPEX to show their latest technologies and inventions, but this is significant in that these representatives are the Pittsburgh's Sister City in China.

Michelle Madoff:

Will there be any women?

Ms. Yarnell:

Yes. There will be many women coming from China. At the last contact we were informed that the Mayor of the City will be traveling to Pittsburgh and this is important that the City of Pittsburgh continues to receive the international recognition via INPEX and The Business Show. Some 45 people will be traveling from China. Joining the Chinese at the show will be international representatives from Argentina, Korea, Belgium, Morocco, Canada, Australia, Mexico, England, Yugoslavia, South Africa, Poland, Taiwan, Switzerland and more.

This past November I was the first American and the first American woman, Michelle, to receive the Cross of Merit for service of inventions in the category of Knight giving under the auspices of the Royal House of Belgium government. Now this equivalent to Knighthood. I also received honors from Yugoslavia, the former Soviet Union, and Taiwan. When I'm traveling abroad I am proud to act as an ambassador of the City of Pittsburgh.

Another delegation from the City of Chang-Chung in China will be traveling to Pittsburgh to see The Business Show '92. Joining the delegation will be the General of the City, the Chairman of Economic Development, and the Vice President of Foreign Trade. The purpose of their travel to Pittsburgh is to establish contacts for economic development between businesses of Chang-Chung and the businesses of Pittsburgh. The significance of their visit speaks for itself.

Yes, I do hold this at the Expo Mart but the advantages are very strong to the City of Pittsburgh. When I'm asked to move the show to other countries and to move the show to other cities my answer is no. It stays here. So, I invite you all to come out and to see actually the largest invention exhibition in the world. So, please come out to see it and thank you so very much for acknowledging us today.

The Chair presents

No. 775 WHEREAS, Father Aloysius B. Berk will celebrate the 25th Anniversary of his priesthood; and

WHEREAS, being the only child of Aloysius and Viola Berk, he first attended school at St. Joseph's Mt. Oliver, then St. Andrew, Rochester, New York and graduated from St. Vincent's College in Latrobe, Pennsylvania in 1967; and

WHEREAS, Father Berk's first ministry was at St. Peter and Paul, Beaver, PA. He went on to serve at St. Louise DeMarillac, Upper St. Clair, then St. Raphael in Morningside. He served as pastor for St. Veronica's, Ambridge and is currently pastor of St. Catherine of Siena in Beechview; and

WHEREAS, through the years Father Berk has served in numerous capacities: CCD Director in Beaver County, helped with the revitalization of the Ambridge area, and served the Diocesan Marriage Tribunal as advocate and defender of the bond, and has worked with various youth groups; and

WHEREAS, for the past three years as pastor and administrator of St. Catherine's the church has returned to stability and many programs have flourished; and

WHEREAS, over the past twenty-five years many lives and families have been touched by Father Berk's love and devotion.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh extends its congratulations to Father Aloysius B. Berk on the 25th Anniversary of his priesthood and sends best wishes for many more joy filled years with the Pittsburgh community.

BE IT FURTHER RESOLVED, that the Council declares Sunday, May 3, 1992 as "Father Berk Day" in the City of Pittsburgh.

Mr. Milliones moved to adopt the resolution.

Mr. Ricciardi seconded the motion.

Which motion prevailed.

The Chair presents

No. 776 WHEREAS, St. Canice Parish in the Knoxville neighborhood of the City of Pittsburgh will celebrate its 100th Anniversary in 1992; and

WHEREAS, as part of the year-long Centennial celebration parishioners and members of the St. Canice Alumni Association will travel to Kilkenny, Ireland, site of the original St. Canice Cathedral for a Centennial Mass; and

WHEREAS, the Centennial Mass for St. Canice Parish will be concelebrated by the Bishop of Ireland in the original St. Canice Cathedral; and

WHEREAS, the members of St. Canice Parish are honored to have as their hosts in Kilkenny, Laurence Forristal, Bishop of Ossory, Sion House, and the Dean of St. Canice Cathedral, the Deanery.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby congratulate the parishioners and alumni of St. Canice Parish on the 100th Anniversary of the parish and wishes those members of the parish a safe and successful trip to Ireland; and

BE IT FURTHER RESOLVED, that the Council extends its most sincere greeting and thanks to Laurence Forristal, Bishop of Ossory, Sion House, and the Dean of St. Canice Cathedral, the Deanery, in Kilkenny, Ireland for welcoming Pittsburghers to their church, community and country.

Mr. Milliones moved to adopt the resolution.

Mr. O'Connor seconded the motion.

Which motion prevailed.

Mr. Cohen presented

No. 751 Resolution transferring the amount of \$51.59 from Code Account 1001-2 (100123), District #8, Salaries and Wages, As Needed, to Code Account 1001-1 (100115), Miscellaneous Services, Equipment, etc., City Council. ---**(SPONSORED BY MR. COHEN)**

Which was read and referred to the Committee on Finance.

Also,

No. 752 An Ordinance amending the Pittsburgh Code, Title Nine, "Zoning", by supplementing the text of Article Five, **"REGULATIONS APPLICABLE TO ALL DISTRICTS"**, by inserting a new chapter entitled **"CHILD DAY CARE FACILITIES"** requiring such facilities for large non-residential developments and providing regulations thereof.

Which was read and referred to the Committee on Planning, Housing and Development.

Mr. Ferlo presented

No. 753 Resolution providing for the issuance of a warrant in favor of Anthony Aurretto, New Image Press, 4433 Howley Street, Pittsburgh, PA 15224, in the amount of \$500.00 in payment for professional consulting services rendered to Councilman Jim Ferlo, chargeable to and payable from Code Account 1001-2, Salaries, Wages and Services of Council, As Needed, Index Code 100123, City Council, District #7. ---**(SPONSORED BY MR. FERLO)**

Which was read and referred to the Committee on Finance.

Also,

No. 754 Resolution amending Resolution No. 1136, eff. Dec. 13, 1991, which read as follows: "Authorizing a Cooperation Agreement or Agreements between the City, the URA of Pgh. and the Housing Authority of the City of Pittsburgh for the purchase of the John P. Robin Civic Building located at 200 Ross Street, Pittsburgh, PA 15219 and providing for the management and allocation of space therein," by amending the Project Number from 03-30-01-0036-92 to 04-30-01-0036-92 and by amending the project allocation by \$200,000.00 from \$1,100,000.00 to \$1,300,000.00, payable from Code Account Ross Street Acquisition 04-30-010036-92.

Also,

No. 755 Resolution further amending Resolution No. 1296, eff. Jan. 1, 1992, entitled: "Resolution adopting and approving the 1992 Capital Budget and the 1992 CDBG Program; and approving the 1992 through 1999 Capital Improvement Program", by amending the Project Number for Project 527 (Ross Street Acquisition) from 3-30-01-0036-92 to 04-30-01-0036-92.

Which were read and referred to the Committee on General Services.

Mr. Ferlo moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Ricciardi seconded the motion.

Which motion prevailed.

Also,

No. 756 Resolution amending Resolution No. 635, approved July 10, 1985, as

amended by Resolution No. 285 of 1987 and by Resolution No. 50 of 1989, Resolution Nos. 135 and 1181 of 1990, and Resolution No. 1155 of 1991, entitled: "Providing for the filing of a Community Development statement by the City of Pittsburgh in connection with the 1985 CDBG Program," so as to reprogram funds in the Department of Public Works. ---**(SPONSORED BY MR. FERLO)**

Which was read and referred to the Committee on Planning, Housing and Development.

Mr. Milliones presented

No. 757 Communication from Sofrania R. Harris, Director, Commission on Human Relations, requesting authorization for Conrad Johnson, a non-City employee, attorney and member of the law firm of Byrd R. Brown, who represents the Commission, to attend the U.S. Dept. of Housing and Urban Development workshop for substantial equivalency, sponsored by the State of Delaware, Division of Human Relations. The one-day workshop will be held in Wilmington on April 30, 1992 at a cost not to exceed \$760.00, payable from the HUD Trust Fund Account #252452.

Which was read and referred to the Committee on Finance.

Mr. Milliones moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Onorato seconded the motion.

Which motion prevailed.

Also,

No. 758 Resolution for the issuance of a

warrant in the sum of \$9,000.00 to Regina Raynor c/o Raymond N. Sanchas, Esq., her attorney, Maurizi & Cutruzzula, 3300 Grant Building, Pittsburgh, PA 15219 in full and final settlement of an alleged trip and fall on a sidewalk on a bridge over the Crosstown Boulevard on Centre Avenue in the City of Pittsburgh on or about March 28, 1988, payable from Code Account 46, Judgments.

Also,

No. 759 Resolution providing for a Contract or Contracts or use of existing Contracts for the furnishing, delivery and installation of new forms handling equipment, automatic folder and heat sealing equipment in connection with the processing of employee payroll checks, W-2 forms and accounts receivable tax statements for the Department of Finance at a cost not to exceed \$17,000.00, chargeable to and payable from Code Account 1066, Equipment, Department of Finance.

Which were read and referred to the Committee on Finance.

Mr. Ricciardi presented

No. 760 Resolution providing for the issuance of a warrant in favor of Public Strategies, Inc., One Bigelow Square, Suite 616, Pittsburgh, PA 15219, in the amount of \$1,600.00 in payment for professional consulting services rendered to Councilman Eugene Ricciardi for the month of April 1992, chargeable to and payable from Code Account 1001-2, Salaries, Wages and Services of Council, As Needed, Index Code 100123, City Council, District #3.

---**(SPONSORED BY MR. RICCIARDI)**

Which was read and referred to the Committee on Finance.

The Chair presented

No. 761 Resolution further amending Resolution No. 1292, eff. Jan. 1, 1992, as amended, entitled: "Adopting and approving the 1992 Capital Budget and the 1992 CDBG Program; and approving the 1992 through 1997 Capital Improvement Program", by creating a new line item EC 92-27, Station Square Road.

—(SPONSORED BY MR. WAGNER, MR. COHEN & MR. RICCIARDI)

Also,

No. 762 Resolution providing for a Cooperation Agreement or Agreements with the URA of Pgh., to undertake the Design of Station Square Road at a cost range of \$60,000.00 or more, but less than \$120,000.00.

—(SPONSORED BY MR. WAGNER, MR. COHEN & MR. RICCIARDI)

Which were read and referred to the Committee on Engineering and Construction.

Mr. Milliones moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Ricciardi seconded the motion.

Which motion prevailed.

Also,

No. 763 Resolution further amending Resolution No. 1296, eff. Jan. 1, 1992, entitled, "Adopting and approving the 1992 Capital Budget and the 1992 CDBG Program and approving the 1992 through 1997 Capital Improvement Program," by creating a new line item, EC 92-664, Tenth Street Bridge Pedestrian Connection to South Side Riverfront Park.

—(SPONSORED BY MR. WAGNER)

Which was read and referred to the Committee on Engineering and Construction.

UNFINISHED BUSINESS

The Chair presents

No. 750 Resolution appointing Louis G. DiNardo as Director of the Department of Public Safety.

Which was read.

Mr. Onorato moved to approve the appointment.

Mr. Cohen seconded the motion.

Mr. Ferlo:

Mr. President, unfortunately due to a family illness I wasn't able to be here in last week, but I'm going to vote in favor of Mr. DiNardo because I do think he's a very good administrator, and I think that's what the department needs right now. And its been absent with a good administrator.

However, I continue to be a critic of the Public Safety Department itself. I don't think we need a Public Safety Department. As far as I'm concerned the shake up that's going on right now and the elimination of some of the bureaucracy is a vindication of this argument that I've been making for the last four years that I've been on Council.

I hope with Director DiNardo that come budget time we can have a reevaluation and a reappraisal of the very nature of the Public Safety Department and its bureaucracy. I think not only because of budget constraints but even in terms

of efficiency and holding people accountable. I think very clearly we should return to the various bureaus that were operating, Police, Fire, EMS, BBI and some type of an administrative component.

So in voting for Director DiNardo its voting for somebody who I do believe not only is a good administrator but I think will look self-critically at the department and what its needs are. So, I'm voting a vote of confidence in a good person, Mr. DiNardo, but I'm not voting in favor of the bureaucracy, which I think we should eliminate.

Mr. Cohen:

Thank you Mr. President, I was pleased with Lou DiNardo's answers to my questions and the questions by my colleagues. I found him to be open-minded on some new innovative measures that I think should be taken within the Public Safety Department including bringing LoJACK here to help prevent auto theft in the future.

We talked about response time, about making that more equal within the zones and also a number of colleagues plus myself talked about community policing. I felt that he was receptive to that. We've got to stay ahead of the curve in the area of police enforcement certainly, but also I think that he gave responsible answers about the Fire Bureau and EMS.

My experience with Mr. DiNardo in my almost two and a half years on Council has always been a positive one. We haven't always agreed but he communicates, he has been responsible and he'll give you a direct answer. So, that's a breath of fresh air and I think he'll do a good job.

Mr. Onorato:

As Councilman Cohen referred to the

number one issue here as far as I'm concerned is community policing, and I'm taking Director DiNardo on his word. He's very open-minded, he wants to look into community policing and we're going to hold him to that. I hope that in six months to a year that we're not carrying on the status quo and there's no movement on community policing. The residence want it, the community groups want it, the businesses want it. It seems the only way control the fear of policing in the neighborhood is to get to know them and have them active in your community.

So, I will be following his actions. I look forward to working with him and I hope that 12 months from now we have more than a "Park and Walk", which I find out is literally one hour, per shift, per zone, which is virtually nothing right now. We have to put more on community policing then just lip service, and I hope that he follows through with what he said last week.

Michelle Madoff:

I'd like my comments brought forward so I don't have to repeat all of it.

But, I again caution and I think President of Council, Jack Wagner picked up on my comments that it is a documented fact that I think we have something like eleven hundred police officers at the present time of which, maybe its ten hundred I'm not even sure, we have 50 percent that are never working because of vacation days, workers compensation, and whatever other problems in scheduling.

We also have a problem with the economy that affects the disadvantaged, the frustration level. We still have a drug problem that has not receded as of this point. I just talked to some of my friends in West Gate and they said it's back to way it use to be. We calmed it down, its coming back.

If we were to put on a class yesterday, by the time that class was through we would lose the same number of police by attrition. It has nothing to do with this business of early retirement, for the various reasons people relocate, get sick, what have you, or decide to change their jobs.

We have to stay on top of the issue of putting on five classes if necessary, or any other options, some of the ones that you've outlined, Mr. Wagner, hiring police officers from other areas; and its got to happen yesterday.

And I think the public has to start to bombard the Administration with the fact that we must address this issue immediately. I've always maintained that enough people voted to paint dogs purple, dogs would be painted purple. If enough people get in touch with the Administration and say we must have police protection, we will have that as a priority, and classes will be started very quickly.

The Chair:

I'd like my comments brought forward.
Thank you.

(REMARKS ON FOLLOWING PAGES)

(MICHELLE MADOFF'S COMMENTS ON THE APPOINTMENT OF LOUIS DiNARDO)
(Wednesday - April 29, 1992)

Michelle Madoff:

One of my favorite people, we have had a very good relationship for many years. I am delighted you were chosen; I think it was a superb choice on the part of the Administration.

I have some questions about some of the things you have said, because I have heard statements made, like in Water, and I hear the same story and nothing changes, not very much.

You made a statement that sort of really blows the mind. You said you were going to phase your people out over four years.

Mr. DiNardo:

I said we have the opportunity.

Michelle Madoff:

Realistically, people have an opportunity to leave as of -- is it June 1st?

Mr. DiNardo:

It is determined upon the formula in the FOP contract, 25 years of service and 50 years of age. Some of those that are eligible won't either be 50 or have the 25 years of service until later in the four year contract.

Michelle Madoff:

They have to make the commitment now?

Mr. DiNardo:

Yes.

Michelle Madoff:

People listening do not understand that, in the same that I am confused about it. You are saying that some people will not reach the magic number, as it is called -- a combination of how long you have worked and your birthday -- maybe for a year, two or four years. But if their magic number is going to fall within the four year period, they then have the option to say now, it is one time yes or no, they can't come back a year from now and say, "I change my mind."

I think it is terribly important that Council has this yesterday, can you give us how many people fall within that purview of a year, two years, three years and four years, as

soon as you know, obviously.

Mr. DiNardo:

I know. I have heard numbers that range all over the board, just as you have; 200 to 400.

Michelle Madoff:

I am going to take an educated guess and tell you there are probably 300. I bet I am not far off. I don't think you think I am far off, either.

If there are 300, in my experience when we have come up short on police officers, there is always talk about starting two classes. What happens is that class starts and they were going to start the other class, but meanwhile, we have a class started -- how many graduates do we usually have?

Mr. DiNardo:

Thirty to 40.

Michelle Madoff:

-- we lose another 30 to 40. That is what happened. So we don't gain anything. You talk about let's not deceive the people that we are going to have this or that. Let's not deceive the people that we are going to have a full complement of a minimum number of police officers unless we start as a body working together with you to make it happen now.

Mr. DiNardo:

I agree.

Michelle Madoff:

That is somebody we cannot leave in limbo, it can't be, "Gee, we are going to work on it." We need very specific information as you have it. When you get the information -- what date do these people have to let you know?

Mr. DiNardo:

I think they have to sign by the 1st of September.

Michelle Madoff:

Great. We get back from summer break, by the 2nd of September you will come to Council and say --

Mr. DiNardo:

That may be a very appropriate time to have a post agenda or a thoroughly discuss at this table with Councilmembers everything that we do know.

Michelle Madoff:

I have a problem with post agendas. The post agenda is where most of the action takes place and the public doesn't really get inside. I would like to do it at a Council meeting, have it brought up at a meeting, and I would like to have, providing the chairman and president would like to do so, and that we will tell the world, those interested, how many potentially are committed to leave in the year of our Lord '93, '94, '95, '96. And we would like at the same time -- because you have plenty of time between now and September -- to let this Council know when in reality the classes will be put on, how many are going to lose by attrition, in addition to the fact that we also lose people that have nothing do would the magic number; they get tired of it or tired of arresting a culprit. We need to know that and protect the public. That is a minimum of things that has to be a joint effort.

Mr. DiNardo:

I agree.

Michelle Madoff:

You know where my vote is going.

(END OF REMARKS)

(Transcribed by Helen L. Kriebel, Stenotype Reporter)

(MR. WAGNER'S COMMENTS ON THE APPOINTMENT OF LOUIS DiNARDO)
(Wednesday - April 29, 1992)

Mr. Wagner:

Director, also I echo my colleagues' congratulations on your nomination. How long ago was it that you were here for General Services?

Mr. DiNardo:

Two years ago this June 4th.

Mr. Wagner:

Time flies. I promise I won't ask any questions about the flag poles again.

Mr. DiNardo:

That still hurts.

Mr. Wagner:

Which actually would have never happened without you.

I would like to get to the heart of a few issues that I think are extremely important and are really front burner issues, several of them, within Public Safety, and more importantly, within the Police Bureau of Public Safety.

Without a doubt, of single most important issue facing you in the future and the new Chief of Police, Chief Buford, is recruitment. We are going to have the largest number of people retiring within police in the history of the City of Pittsburgh in the next three years. I am not convinced that the commitment is there, the multiple department commitment, to make sure that we can fill those positions with qualified personnel. No matter what you think, no matter what Chief DeRoy thinks now and future Chief Buford, there needs to be a cooperative effort in spirit and a plan in existence to make sure that we are hiring competent people and we are doing it in a very timely fashion.

Now, I heard your responsible to Councilwoman Madoff that a class will be hired this summer. I have to tell you, that is too late already.

Michelle Madoff:

Thank you, Jack.

Mr. Wagner:

We need a class put on tomorrow. We were at a retirement dinner last week, Councilman Onorato, myself and others, and we

have had 35 go. We know we have big numbers of people going before years' end. We do not have a class on right now. We need the commitment from not only yourself, but also the Personnel Department that plays an active role in this process, the Civil Service Commission, and more importantly the Mayor's office to do that immediately. That is really what I would like to see happen.

Now, would you like to respond to that?

Mr. DiNardo:

My interest is there, as well. I believe that the Civil Service Commission is working with the existing eligibility lists that are in place now to merge those together so that a class can be prepared. There is some preparatory time that is necessary before a selection process can be conducted. Any effort that is possible to shrink that down I will make. I could only assure you that I will act as that lightning rod, both for Council and the Administration, to make sure classes are put on in a timely fashion.

We have heard a commitment, you have heard it from me today, that there will be a one-for-one replacement with retirements. That has to be done in a timely fashion, there is no question about it. We have to do our best to have those recruits out of the academy before we retire a group of police officers. That is what I will be working for. I would welcome any effort on your part to work with me, to work with the Administration, to help accomplish that.

Mr. Wagner:

Okay, I appreciate that. But I still am not confident enough that the priority is there, because I think a class should be on already, and it is very difficult, it is a very timely process, it is a six month process. We are approaching a summer when we know our crime problems increase dramatically in our park system, on our streets, et cetera. We need more police visibility. So I am asking you to make that the top priority as the new director. I have been asking that same point and question to the Mayor's Office, and I am hopeful that they make sure that Personnel is doing anything and everything possible to move forward aggressively.

I would like to add to that. I suggested to Mr. Turner and to others that our process of recruitment is antiquated for new police officers. Proof of that is just in the newspaper this past week, where you read the Housing Authority police officers, the better ones, are moving to other cities. We have no program in effect where we go out and recruit veteran police officers. The Pittsburgh Steelers do not bring in all rookies, they have plan B, people that they get from other teams, they trade for veteran players. I strongly recommend that the City of Pittsburgh do the same. Our salary program, our benefits

program, is far better than the majority of municipalities surrounding the city, is better than the Port Authority security personnel, it is better than the Housing Authority personnel. We have a grand opportunity and we are not taking advantage of it.

Mr. DiNardo:

I spoke with the Solicitor this morning about that, because she spoke to me about recruitment issues, that some of the issues that have been evolving since the court order was stricken recently. She is exploring the opportunity to recruit veteran police officers. As soon as I have something, I will pass it on to Council. I am encouraging that. That is a quick infusion of experienced officers into our system that will provide us with great relief. There are no negatives that I can find against it. I will continue to work with the Solicitor and keep you informed on the progress that is made in that area.

Mr. Wagner:

Thank you. One last area I want to add in in whole area of recruitment are military veterans. I have suggested to the Personnel Department in a repetitive sense that we get a list right from the Federal Building of people that are coming out of the military, all branches of the military, that live in the City of Pittsburgh, that live in the region, people that make excellent candidates for police officers. There are more minorities in the military today, more women in the military today than ever, and there is an abundance of quality candidates that I think have good, prior experience that prepares them for police work.

The point I want to make in all of this is all of you can't do it alone because you don't recruit the people. It takes the Personnel Department and Civil Service Commission being nudged by the Mayor's Office to accomplish this. I would really like to see us operating on several fronts to go out there and recruit people to get as many people available for recruitment so that we can immediately hire veteran police officers and we can put them on the street running.

Mr. DiNardo:

I agree with you. There is nothing to disagree with. I think maybe you and I can sit down and talk a little more in depth about pursuing that issue. I certainly support it and I will work with the Law Department and the Administration to see where we can go with it.

Mr. Wagner:

Thank you. I want to touch on a couple other items, and I

will be brief, but some of them are very important to me. Again, this ties into Personnel because you need the assistance of Personnel. We need a performance appraisal system within our public safety ranks, so that when we are promoting people, we are truly doing it on merit. There have been glaring indications that that has not occurred in the past. I personally think that has a very negative impact on production, morale, and the future professionalism within those bureaus. I am taking in particular about police. I would like to see a performance appraisal system implemented within the Police Bureau and within the other bureaus. Obviously, that takes time to develop, but if we were to start it now, we would really have something in the next six months, a year, two years down the road, and we would truly have a file on every employee and know their capabilities for promotion. So I would like all of to you put forth a commitment to do that in the future.

Mr. DiNardo:

If I recall, it had been on the agenda in Public Safety sometime ago. I don't recall why it was set off track. I am certain that we need the cooperation and I am sure we would get the cooperation of each of the unions to pursue that. One of the stifling areas in effectively administering a performance appraisal system is when you are confined through civil service requirements to select from a group of four, as has been the case in the past. Whether or not there is an opportunity to relieve ourselves of that is something that has to be part in parcel, because in cases the four candidates that you wind up looking at are four that were passed over. Having to make a selection from that group is stifling, but nevertheless, I don't know if it is an insurmountable hurdle.

Mr. Wagner:

It can't harm you, that is the point here. I know Chief DeRoy and previous chiefs -- police are not personnel experts, and that is the whole idea of different departments within city government to be assisting other departments in the initiation of these types of programs. Quite frankly, I don't see it happening and it should be happening. I would like to see you be the person that oversees it happening in the future.

A couple other items. We have a CIS Department in the City of Pittsburgh. Again, we are talking about interdepartmental communication and cooperation. I would like to see the Police Bureau computerized.

Mr. DiNardo:

So would I and Chief Buford.

Mr. Wagner:

With the hook-up of a computer tied into the 911 headquarters in every zone headquarters, and the computerization of all files within the detective bureau. I was out with some of the detectives. The chief was very cooperative and helpful in solving a burglary problem in Brookline/Overbrook area. I was out with some detectives one evening, they did an excellent job. But what I found out is the way they researched the files on past cases and criminals is by hand. I mean, we have no computerized system for homicides, rapes, burglaries, and it becomes extremely timely and is not as professional to do it that way. This is 1992. We have to put together a computerized system within the Detective Bureaus, within the zones and in other aspects of Public Safety. I suspect Building Inspection is the same, I suspect Fire is the same.

Mr. DiNardo:

Building Inspection is evolving a bit. There is no question about it; you are absolutely correct. Chief Buford has spoken to it I think over the last couple days. It is something that we intend to pursue, and it is also important to recognize that we can't forget about the other bureaus. The Fire Bureau recently had a distribution of payroll computers in about 24 of their companies. We are hopeful to complete that into every company or fire house and also include on that management information efforts, report taking, so that that paper flow effort, the chief just spoke to me today about it, so that the paper flow effort can be controlled and better organized. I am certain that there are models out there on detective case management that may be applicable to what we are doing in Pittsburgh. If not, we have enough talent in our CIS department to sit down with knowledgeable and interested detectives in working with them to design a system. It works very well. We have seen the success from our Computer Aided Dispatching System on the management information that that generates, we have also seen some success in the record management area since we put that system in. We have to blend that together to help our supervisors and our street professional Public Safety personnel do a better job. That is really what that information does. That is something that I was involved in since I have been to work with the city for the last 11 years, and it is something I will continue to pursue.

Mr. Wagner:

Well, I am certain Council will be receptive to allocate whatever dollars were necessary to computerize those bureaus. If we are really going to have a modern, effective Public Safety Department, we have to be computerized; there is no doubt about it. I am pleased to hear your commitment on that very important

item.

I am going to hit a couple other items very quickly.

Director, we need more attention in the Downtown in the public safety area, particularly the police area. I am sure every member of Council -- I know it is Councilman Milliones' district. We need more attention to the living room of the City of Pittsburgh. I get complaints every day. You and I could walk out of this room today and walk down Fifth Avenue, and I got to tell you, the perception anymore is not that it is safe. We really need, this government needs, to focus on the Downtown. My fear is if we don't, we will lose shoppers, lose companies located here or companies that may locate here, we will lose conventions, people that are staying in the Downtown. And I am simply asking you to give that a priority. And I know you can do the job.

Mr. DiNardo:

That is on our agenda, everybody's agenda, there is no question about it. It is the hub of our community. Chief Buford, I am certain, is right on board with this, and we will have to sit down and develop some strategies. But again, it is important that we get the input of the Greater Pittsburgh Triangle Association, of the Allegheny Conference, of everybody, of the tenant counsels from the apartments that are in our Downtown area. I would propose to do it in that fashion. I am certain that we can convene a meaningful group of folks that are interested in the same thing and put forth a good plan.

On a smaller scale, but what is just as important to the life of all of our neighborhoods, are local business districts, as well. There needs to be a strategy developed, as well, on how we treat that from a public safety point of view.

Mr. Wagner:

My colleagues, most of which have talked about community policing, I agree with them. I think what I am talking about is probably a step even before community policing is directed or targeted policing in specialized areas, whether that be in the Downtown or the neighborhood business district, or the playgrounds in the neighborhood. I think we need more directed attention placed to some of these areas, but particularly Downtown. My fear is we may lose it if we don't. If it were necessary, I would even recommend we create Downtown as a separate police zone, that becomes its own individual zone and gets special attention as a result of it. Without the Downtown we don't have a city, and without a neighborhood business district, you don't have a neighborhood, generally speaking, in the far majority of situations. So I would like to work with you, I am sure my colleagues would, to give that more attention.

I am going to close even though I have three or four more items. Again, I am going to put my pitch in. In addition,

obviously, I want to see more police officers hired and the replacement of the officers, but I have been talking about more canines for years. If we need to boost that incentive again with police officers and go out and buy canines, I still think they are one of the most effective deterrents to crime, particularly if you get in drug related situations to clear areas with, simply acting as a deterrent. A lot of people say there is liability exposure associated with them; yes, there is. But I would like to see more canines on the streets in hot spots around this city. I think they work, I think they are a proven commodity.

Mr. DiNardo:

I have to get back in touch with that. We came to the table a few years ago and talked about that, I think it was at budget time, and at that time I believe we increased the daily allowance for canine officers and hope to encourage more participation. Yes, I want to get back to that and see where we stand with that, and then you and I can continue a discussion.

Mr. Wagner:

Thank you, Director. I wish you well in your new position.

Mr. Darkins:

I don't have a roster of questions to ask because I think you and I have been long lifetime friends, raised in the same community, and I know of your background. I think Michael Perry would attest to the fact today that if your father was here, he would be so proud of his son. We are proud of you. You have all my support.

Mr. DiNardo:

Thank you.

(END OF REMARKS)

(Transcribed by Helen L. Kriebel, Stenotype Reporter)

The Chair:

Roll call vote on the appointment of Mr. DiNardo.

The Chair:

Is there any discussion on the appointment?

And on the question, "Shall the appointment pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the appointment passed finally.

The Chair:

Mr. DiNardo is the new Public Safety Director upon the date indicated.

Any other Unfinished Business to come in front of Council?

Michelle Madoff:

Unfortunately, I had a doctor's appointment on Monday, which I had scheduled not thinking we were going to be here Monday, and as you know Dave Matter was here to be interviewed with reference to taking over as the

Water & Sewer Director. I think he's very talented. I sent him a litany of reports and material that I hope he will take very seriously.

I think there's been tremendous progress made under the new Director, but we still have an economy where the City is losing ground rapidly on tax base and our general fund. We still have \$12 million outstanding in the Water Department. I repeat \$12 million, and that burden is carried by those of us who pay our water bill, people who are on fixed incomes and senior citizens, and I hope that since I didn't have a chance to address this issue today.

The Chair:

Councilwoman Madoff, this has to pertain to an issue that's alive in Council.

Michelle Madoff:

I'm finished, I'm done. I'd like to think that's an issue that's alive in Council, it better be.

REPORTS OF COMMITTEES

Mr. Milliones presented

Bill No. 764

Report of the Committee on Finance for April 29, 1992 transmitting two ordinances and sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 711

A Resolution entitled, "Resolution amending Resolution 556 of 1990 as amended entitled, 'Resolution providing for an agreement or

agreements with an actuarial firm to provide actuarial services for the City of Pittsburgh for a period of three years and providing for the payment of the cost thereof subject to annual budget appropriations', by increasing the cost and adding to the scope of service.'"

Which was read.

The Chair:

I'd like my comments brought forward on Bill 711.

(REMARKS ON FOLLOWING PAGES)

(MR. WAGNER'S COMMENTS ON BILL NO. 711-Wednesday, 4/29/92)

Mr. Wagner:

Discussion please.

Director, this obviously goes back to budget time.

Mr. Hayllar:

Yes.

Mr. Wagner:

And a number of meetings that we have had that my assistants and Kurt Salac have sat into. Could you please tell us what your agenda here is? I know to some degree, my colleagues do not. This is a very, very important item that addresses a big part of our budget.

Mr. Hayllar:

Absolutely. At the last budget deliberations, Council, particularly President Wagner, voiced their concern that the employee benefit portion of the city's budget now makes almost 10 percent of our entire budget. Health costs is one of the quickest rising portions of the budget, and like many large institutions with many employees, we really did not have a good control on why those costs were increasing and what we can do about it. We have set about setting up a strategy to arrest the health care costs, and one of the things we recognized is with 5,000 employees, Blue Cross, three HMO's and various other health insurance programs, we do not have a good way of analyzing the data we get and turning that into policies to correct health care costs, increases. For example, we don't know what the major ailments of our employees are. We cannot identify employees, for example, who don't have a doctor but will go to an emergency ward for their primary health care. That is extremely expensive, and if you have a Blue Cross card, insane, but we have people that do that.

One of the things we need to do is bring on first rate professional expertise, William Mercer, who we use as our actuary and know the city system, is that kind of expert. They have a computer program which is the primary, along with the consulting services for renewal and negotiations, they have the computer software program that takes the data from Blue Cross and HMO's and analyzes it into information that we can use to help keep our costs down. This is one of the first steps we are taking that we think will bear out with the results in money saved. \$100,000.00 is less than one-third of 1 percent of the total costs of our employee benefits, so it is a small price to pay for what we think is really the beginning of the modern analysis in consulting services in our health care costs. As

you mentioned, Mr. Salac of your budget office and

Mr. Rooney of your own office have been involved in this, and Kurt has reviewed a lot of this information and is pretty well on top of it. I think I can speak for him in saying he concurs with this step.

Mr. Wagner:

When will we begin to see the fruits of this analysis?

Mr. Hayllar:

The information should be available to us once the consultant starts within three months. How we translate that data and the programs we institute to control costs, that is something that will take place during the rest of the year. I hope at budget time next year, as I said at the last budget deliberations, we can show that we are turning the corner in health care costs, just as we could say a year ago that we turned the corner in workers' compensation costs.

Mr. Wagner:

Well, Director, I appreciate the fact that you have taken on this issue and you are on top of it, because it is very important.

(END OF REMARKS)

(Transcribed by Helen L. Kriebel, Stenotype Reporter)

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 714 "

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of St. Margaret's Hospital, 815 Freeport Road, Pittsburgh, PA 15215, Division of Occupational Health, in the amount of One Thousand Nine Hundred Eighty Dollars (\$1,980.00) in payment for Hazmat/River Rescue physical examinations conducted on all specialty team members."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 9 NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 715

A Resolution entitled, "Resolution authorizing the transfer of six hundred twenty-five thousand (\$625,000.00) dollars from Code Account 1420-1, Index Code 142018 Premium Pay, to Emergency Medical Services Trust Fund (E.M.S.T.F.), Index Code 251785, Bureau of Emergency Medical Services, Department of Public Safety."

Which was read.

Also,

Bill No. 716

An Ordinance entitled, "An Ordinance amending Ordinance No. 2 of 1991 approved January 28 1992 by amending the Pittsburgh Code, Title One, Administrative, Article XI, Code of Conduct, Chapter 197.08, by adding the definition of contractor."

---(SPONSORED BY MR. RICCIARDI)

Which was read.

Also,

Bill No. 717

An Ordinance entitled, "An Ordinance supplementing the Pittsburgh Code, Title One - Administrative, Article VII - Procedures, Chapter 161, Contracts, Section 161.16, Required Provisions in Contracts, by adding provisions to subsection (e) to require contractors/consultants to comply with Chapter 197.08 of the Pittsburgh Code." --(SPONSORED BY MR. RICCIARDI)

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Millions	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 733

A Resolution entitled, "Resolution providing for

a warrant in favor of Arthur I. Young in the amount of \$2,000 in payment for professional services rendered to Councilman Jake Millions, chargeable to and payable from Code Account 1001-2, City Council, District 6."
--(SPONSORED BY MR. MILLIONES)

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Millions	(Pres't)

AYES 9 NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bill passed finally.

Mr. Darkins presented

Bill No. 765

Report of the Committee on Public Works for April 29, 1992 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 709

A Resolution entitled, "Resolution vacating Mt. Hope Road in the 27th Ward, 1st Council District of the City of Pittsburgh."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

MOTIONS AND RESOLUTIONS

Michelle Madoff:

I have three items I think are important to Council. I have a suspicion that everybody got this letter, but we just picked it up as I was coming into Council, and I think it's worth sharing.

The letter's from the Board of Directors, the Board of Public Education. Well in any event I got this letter and I want to share it with you.

Dear Councilwoman Madoff:

Do to the concern that we all have for the rising tide of violence in cities across the United States, and do to the concern that many of us have about events in the City of Pittsburgh, we would like to invite you to join with us in the discussion of cooperative efforts between the City and the School District in stemming the violence in helping Pittsburgh remain a safe place in which to live.

And the meeting is scheduled on May 19th. I believe this is a direct response to Council raising this issue, and I think it's wonderful that the Board of Education has agreed to meet with us, and I just wanted to share that information.

If you haven't all got the letter, please see me, but I have a feeling everybody got it. Although, it is directed to me and doesn't say that it went to the rest of Council. It says all Board Members, now that doesn't mean Council, they may mean that. I don't know.

Mr. Perry, will you find out if everybody got it, and if not -- I'm sure they're not meeting with me alone.

The other thing I'd like to share Mr. President is that Kurt Salac is one of the best employees that the City has ever had. For years I have been asking to have a professional business like view of what goes on in Workers Compensation claims in the City, and as know they fall into three categories. Under 700 which we get in a list quarterly. The over 700 that we settle through Council vote. So we know about those, but they're never recorded except that we get them one at a time, and the hip bone isn't attached to the thigh bone, and the third one that goes to the Controller's office where the courts say, you will pay, and the claims are paid, and we never even get to see them except through a letter.

He has put together a computation of where the major claims fall, and I think that Council members will find it fascinating. It might give some insight into why the Administration does what it does.

But, I think it's interesting to note for example, I can't believe that we have a lot of judgments in the Water Department. I don't understand that. But, for example everybody including myself assumed that the greatest claims came out of Environmental Services. It's one of the smallest and the reason for that I believe is that years ago when we had the greatest number -- Larry Yatch was head of General Services, we put together a program that trained the people, helped the people that were having problems, and I think the end result was that the process was changed in that it is a department that no longer gives us a large problem in the way of claims.

I think this should be shared with everybody. I think you're going to be terribly impressed with the work that he did, and I'm going to give Mike my only copy and ask that Mike make copies for everybody. Okay.

One last item. I know there was a public hearing or a post agenda hearing on Station Square and I attended that private meeting with a number of my colleagues over at Station Square, and felt that I had been briefed and felt that I could be very supportive.

I think it's time that we become proactive not reactive. We cannot wait to get the minimum dollars to get this project moving. I believe it's \$150,000 to get the turn around. I believe we also should be funding the road, and I would like to see some legislation introduced in the immediate future with all our signatures on it, all of us who believe that's the way we should be proceeding, because that is going to get the City off dead center. It's going to create jobs, it could be the

turn around economically.

And I would ask that somebody -- I would be happy to write the legislation, but I think would be more appropriate coming from the President of Council. I believe you were thinking of doing something in the near future in that line; am I correct? I just heard that today.

The Chair:

There as a bill submitted today on the engineering design for the intersection that Station Square is requested.

Michelle Madoff:

Is that \$150,000, Mr. President?

The Chair:

\$120,000.

Michelle Madoff:

Did you do anything about the road yet, that road that they need as well?

The Chair:

That will entail partially the road entering Station Square. So in agreement with Arthur Ziegler the URA, City Planning, Council pushed for that legislation to be submitted today. It will be up for discussion tomorrow.

Michelle Madoff:

I believe Mr. Cohen sits on the Board of URA.

Mr. Cohen:

No. Councilman Milliones sits on the

Board of URA.

Michelle Madoff:

Well, I would suggest that somebody ride herd on that and get a big bullwhip, because this is so important to our economy.

The Chair:

Well, I look at Council as being really the force behind this whole development moving forward, quite frankly. And I know all of you have been strong supporters of the project and I think that's very encouraging and says a lot about City Council.

Michelle Madoff:

I have one last item.

The Chair:

On the same issue? Any one else, any other comments on the same issue?

Mr. Cohen:

I agree with you and I think what we've done today Michelle as you know is to make sure that there are no delays in that whole development, and that's why we're just moving to front fund the design phase for the intersection and the road.

But, you're right, there's more that needs to be addressed because what they're looking for is somewhere between \$3.5 and \$4 million dollars.

Michelle Madoff:

Give it to them.

Mr. Cohen:

Hopefully, that can be done through tax increment financing, if we can get the county and school board on board with that project. If not, I think Mr. President what we decided was to come back together in two months giving the URA the time period to work on tax increment financing. If they can't get it together at that point then we should look at a more traditional way, which is bond funds.

The Chair:

And we have a briefing set for this Friday at 10:00 a.m. on tax increment financing by the URA.

Michelle Madoff:

One last thing on another issue. I'm a little dumbfounded, I went to a meeting this morning in District #2 about job coordination between employers and employees, and I apologize for not being here in time, but one of things I learned there were a lot of people at that meeting who were City employees, and it seems that people in the City are being fired left and right. People that I had no idea were going to be fired. Nobody knows the reason why. I think the day has come that this Council ought to know what's going in the City instead of reading it in the papers.

And I'd love to have a request made by our President to sit down with the Administration and have us briefed as to what is happening. They may good reasons. I don't know, but it seems that some of the good, supportive staff that make the City, that sort of grease the wheels, make it run, are being let go.

And I don't understand what's happening. It sort of came as a shock and surprise to me. And you know I don't keep secrets, so I would like to ask respectfully that you ask the Administration for a meeting to brief us. I understand there's a lot

of in fighting going on and that doesn't do the City any good and I think we need to be apprised.

The Chair:

I think that's an excellent idea. Mr. Perry would please set a meeting and request the presence of the Mayor, Mr. Mistick, Mr. Turner, and all nine members of Council, about the proposed changes that are going on, and the rumors that we continually hear about layoffs, etcetera. And I know even recent appointments that have been made that we have had to read about in the newspaper. Particularly, the Chairperson of the Committee, Councilman Onorato, and quite frankly that has to come to an end real soon. Thank you.

Mr. Onorato:

Over the last two weeks as Chairman of Public Safety, I've been meeting with several groups, community groups, groups from the Afro-American community, groups from the public housing community, and the issue we were talking about obviously was community policing, and I was asking them what they would like me to do as Chairman of Public Safety and what Council could do, what they see where the hole is.

After discussion what we come up with and I would ask you with your powers as President to form a subcommittee under Public Safety which I could Chair being the Chairman of Public Safety to create a committee on community policing, and this committee would only have two goals.

One, to review community policing and the different definitions, and what type of community policing is best for Pittsburgh and our problems.

And the second issue would be a police

review board. We have a police review board, they would like to have the power to find out exactly how it works, and maybe create a citizens review board in addition. To give a sense of fairness to the people in the community. We can't have a large minority population in this City feeling like they don't have any say if there is a problem, or they feel that they have a complaint.

And it's very important that this committee be made up of the people from the community, not made up of the Council members here, but the people in the community and that report would be the final product of this committee to be presented to this Council. For all nine of us to review and to ask questions at that point.

What I want to avoid here is any - I don't know if it's politics, whatever you want to call it at the beginning that could set the whole course of the committee off. I want to keep this to the community groups. I don't even know who all the people would be, but would I would like to do is come back to you with a list of the names who I think and who they recommended to me to be on this board, and to have any comment at that point from my colleagues about any individual on there, or a missing person, or a missing group. And then once we decide on what the committee is made up of then we can move forward with those two issues. But I think it's important that this Council make the move instead of just constantly talking about it and not seeing anything happen. I think community policing is the number one issue and some type of citizen review board is necessary, so I will be happy to talk to you this week in setting up a subcommittee, and the details of that committee.

The Chair:

I'd be more than happy to sit down and talk to you.

Mr. Onorato:

Thank you.

Mr. O'Connor:

I just wanted to bring it to the attention of my Councilmen. We had a little new release this morning. As Chairman of Parks and Recreation I've been active in the different tennis and little league organizations most of my life, but I found out we have tennis clinics and we're doing a very good job of going to all of the neighborhoods in different incomes, and we provide rackets to train kids, and when they come back we find out that these kids especially in the lower incomes aren't able to play or practice because they don't have rackets. I thought that was shocking, but more shocking I found out that a lot of kids aren't playing little league in some of the areas. Especially the economy the way it is and maybe single mothers can't afford gloves and things like that to practice.

So I got together with a group of friends and we are starting next -- May 16th will be a Sport Day in Pittsburgh. We are asking all the residents -- and I know in my garage we have old tennis rackets and hockey sticks, and somehow we never want to throw them away. I take my son to glove day at the Pirates every year so I can afford to go a game and get him a glove. He has a glove every year and I have five or six gloves that aren't used. So, we're asking the residents the City to recycle this equipment. I just wanted to mention the pick up spots will be in front of the City-County Building, Friday morning, May 15th, and the Pirates have agreed to let us use Gate B. Anybody who is going to the Pirate game that night can drop off any kind of sports equipment. Whether it be golf, tennis, etcetera.

Also, the Pirates donated over 300 gloves that were left over from glove day, so we'll be distributing those. But, the main thrust will be

Saturday the 16th from 10:00 a.m. to 3:00 p.m. at all the recreation centers and the Fire Department has volunteered to collect these items and distribute them. I just wanted to bring that to your attention and I hope the City gets behind it.

The Chair:

Thank you, Councilman O'Connor, great idea.

Mr. Ferlo:

I have three unrelated issues separate from discussion. I applaud Mr. O'Connor's effort. I was really impressed with the article in the paper this morning. I don't have any old sports equipment because I never had time to play, but I think Mr. O'Connor certainly is willing to accept new equipment if there's somebody out there that would like to donate. Somebody may go out and buy from one of the Sporting Goods shop, I'm sure that would also be applicable. So, if you don't have anything old I'm sure he'll take a donated glove or a bat, or something. I know I plan to do that.

Mr. Chairman, in relation to an on going discussion that we have each year in the spring I want to raise and ask that we send a memo to the Administration regarding specifically Director Melanie Smith on this whole issue of the summer youth employment.

Each year at least in the past we have allocated additional funds either reallocating block grant monies, at one point we even took general funds dollars recognizing that each year under the Bush Administration we lose valuable job slots for summer youth employment. Giving what I think is going to be a tenuous situation this summer regarding so many of our young people without employment opportunities, in addition to whatever effort we can make with the private sector, I think we need a good assessment of how

many job slots will be available currently funded and whether or not that's actually going to meet the need for the summer, and whether or not we can take some extra ordinary response from Council to see if we could supplant those funds.

My question to the Administration from Council is, what is the status report on the summer youth employment, what federal funds are available, how many job slots are available, and whether or not any additional measures can be taken? So that's a specific request.

Second request in a similar vein trying to get to this issue of the youth during the summer months here in the City of Pittsburgh. As you know I've been a critic for many years about the swimming pool fees. We spent a lot of money administratively to collect what amounts to be very little bit of money in order to it into the swimming pool trust fund. I've always contended that it's the cheapest form of child care we have for the two months that the pools are open. I think there is still a large number of kids for a variety of reasons that do not get it together with their parents to get the permit.

I really think we need to investigate regarding this summer the availability of the swimming pools. I guess I'm asking for a report from the Parks Director on the amount of money that we've actually expended and how much we've taken in on the swimming pool fee situation, and whether or not we couldn't waive these fees, and also as part of that discussion if we keep of the fees whether or not some of the pools could remain open to 9:00 or 10:00 o'clock at night.

And I'd like a report regarding the whole swimming pool situation, because again I think we're being foolish, we have this multi million dollar infrastructure of the pools and yet we don't allow thousands of kids to avail themselves to the swimming pools.

And I think we've got to be creative this summer. I think some of those pools could possibly remain open in the evening hours. It gets kids off the street. It keeps them from hanging out on the corners. I think it's a good constructive way -- there's activities that could go on at the pools.

So, I'd like a report from Parks regarding this whole issue of the swimming pool fees, how much is collected, what the number of individuals have been availing themselves to the fees.

And the third thing is unrelated, and I'll close. We had amended the budget last year asking the Administration to seek proposals from private developers or others in relation to the golf course. I know Mr. Cohen has been very active on this issue with his proposal on the annual fees this year.

The request for proposals I believe are in as of May 1st. There are a number of proposals. I'd like to communicate to the Administration on behalf of Council asking them two things. One a status report on the request for proposals and what the nature of those proposals were. I'm familiar with some of them. But more importantly, what will be the procedure and the timetable for Council's review and deliberation. We empowered them to go out and -- what the request for proposal to seek the proposals. We did not waive Council's involvement and right to actually award at some point what the contract will be and to whom.

So, I'd like an understanding from the Administration on the timetable, and what procedures they will follow regarding Council's review. And I would hope obviously that Council has a public hearing to seek input. I'm not a golfer but I know Mr. Wagner's a golfer. A lot of suggestions have come from Council over

the years about a driving range and a putt-putt course, and a host of concerns.

Council needs to have its imprint on this issue. We got the ball rolling by amending the budget. We're moving ahead, but I don't want to ignore valuable community input. So, I'm asking for a status report on the request for proposals and what the procedure will be for Council's imprint and approval.

The Chair:

And I might also add that I know there's at least one letter to Council requesting a public hearing on anything that is proposed. So, we will have to be sensitive to the public's concerns here depending on what is proposed or not proposed.

Mr. O'Connor:

I think Jim has a very good point and I'll talk to the Director so we know at least what their thought is, because I know we have many concerned citizens who want to have a public hearing and we will. We should have the property time.

Mr. Cohen:

On a very serious note, there is some fear in the neighborhood of Shadyside this morning because of the grotesque and heinous crime that occurred last night. The results of it which were found last night and I just want to take a moment to commend the Homicide Division for being so quick to react and encourage them to continue to have their full efforts be applied to this case until this deranged madman is found.

I think that Shadyside is still a safe neighborhood with respect to violent crime, but there is certainly a reason why people are fearful today because of that horrible crime.

Also, I will be asking the Police Department today to keep the community informed of the status of the case. Certainly not the details but the general status of the case. Particularly through the Public Safety Committee of the Shadyside Action Coalition. I just want to encourage them to continue their efforts.

The Chair:

Thank you. I'd like to add to that to an issue somewhat discussed but not formally, publicly there has been some discussion under public safety and police to merge the various detective units on homicide, rape, burglary, etcetera.

I think there's a strong argument not to do that. To have some specialized people working within the Detective Bureau for crimes of this type so that we truly have the best professionals working on a continuous basis on these types of crimes.

Mr. Cohen:

I agree.

The Chair:

I think we have great people working in our detective branch, and they've done a superior job over the years on a multitude of crimes, and their percent rate of solving crimes is exceptional.

Therefore, I would not like to see the merging of that and I think that's one of the important issues that Council needs to discuss with the appropriate people in the Mayor's Office.

Michelle Madoff:

Has anyone heard anything about the request for proposals that were to be opened in April that concern the recycling program? May

understanding it was opened in April and I think we're in May; are we not?

Would the President of Council okay a letter or would we send a letter Mr. Perry asking whether the responses were open, and who is getting the contract, and what the conditions are? As you know I projected that we were something like one third of what the cost is probably going to go to. It's going to go through the roof and we better find out what that figure is.

And apropos the comment I made earlier about meeting with the Administration not only about whose being fired and why, but I thinking the broader issue is that we have a shortage of dollars into the general fund this year to meet our - we're not collecting what we expected. I think we need an update from our finance officer as to what the status of our fiscal problems are going to be. You don't deal with them at the end of the year. You deal with them before we get in the end of the year to see if we can have some problems solved.

Mr. Ferlo moved to change next Tuesday's meeting from 10:00 a.m. to 2:00 p.m.

Mr. Ricclardi seconded the motion.

Which motion prevailed.

Mr. O'Connor moved to approve the Minutes of Tuesday, April 14, 1992.

Michelle Madoff seconded the motion.

Which motion prevailed.

And on the motion of Mr. Onorato

Council adjourned.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXVI

Tuesday, May 12, 1992

No. 19

Municipal Record

ONE-HUNDRED TWENTY-SEVENTH COUNCIL

JACK WAGNER President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER..... Asst. City Clerk

Pittsburgh, PA
Tuesday, May 12, 1992

PRESENT:

MR. COHEN	MR. O'CONNOR
MR. DARKINS	MR. ONORATO
MR. FERLO	MR. RICCIARDI
MICHELLE MADOFF	MR. WAGNER
MR. MILLIONES	(Pres't)

The Meeting was opened by the recitation of the Pledge of Allegiance to the Flag of the United States of America, and a moment of silent prayer for peace throughout the world.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Cohen presents

No. 813 WHEREAS, Alpha House in Shadyside is a multi-faceted treatment center for drug and alcohol abusers over the age of 18 located; and

WHEREAS, Alpha House offers a residential, drug-free therapeutic community where residents are immersed in a positive environment which is oriented toward change in behaviors, attitudes, and values; and

WHEREAS, Alpha House residents may require a high school diploma from its G.E.D. tutoring program, benefit from outpatient therapy, job placement assistance and receive support and advocacy with the courts, welfare agencies, and other governmental offices; and

WHEREAS, since 1971, Alpha House has provided intensive, long term rehabilitation to those desperately in need of these services in Pittsburgh, enabling clients to reclaim productive and fulfilling lives.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby commends and congratulates Alpha House for its outstanding work for the Community.

Mr. Cohen moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Cohen:

I'd like to tell you a little about Alpha House and then turn it over to the Directors and some of the people from that organization.

When I ran for City Council I had knocked on a number of doors and I happened to knock on the door of Alpha House on Shady Avenue, and it looked a little unusual to me because it wasn't your typical single family residence, and I went in there and they invited me in to have lunch, and it turns out it's a drug rehabilitation center. Councilman Ferlo knows all about it, because he was on the board. I was so impressed with the people that I'd had lunch with, and I think that Alpha House more than any other experience that I have had taught me that rehabilitation is such an essential component of solving the drug problem; and that unless we put more money and more effort into rehabilitation we're never really going to solve the drug problem in Pittsburgh or nationally.

I was very lucky to get to know and to meet some really special people from this organization. The person in my immediate left who is the Director, Alpha House has been in existence for 21 years, and have you been there for all of them? And that's Norman Patrick Machin, and next to Mr. Machin is Veronica Jones who is the Residential Director of Alpha House, and next to Veronica is Frank Lackner who is President of the Board of Directors.

I wanted to take an opportunity to congratulate Alpha House for all the work that you've done. I think you're doing a terrific job. You're part and parcel in the neighborhood, but at the same time providing such an important service to the community, and congratulations.

Mr. Machin:

Thank you, Dan. On behalf of the Board of Directors, the residence and the staff of Alpha House I want to extend our gratitude to Council for taking us into account and recognizing the work that Alpha House has been able to do over the past 21 years. Thanks very much.

Mr. Cohen:

Could the people from the Jewish Education Institute come up please. This is a proclamation that Councilman O'Connor and I are delivering.

Mr. Cohen and Mr. O'Connor presents

No. 814 WHEREAS, The Jewish Education Institute of Pittsburgh was created last year, merging the Hebrew Institute, the School of Advanced Jewish Studies, and the Community Day School, a Solomon Schechter Day School; and

WHEREAS, The Jewish Education Institute now can provide comprehensive educational services for kindergarten students through adults, as well as develop curriculum and train teachers throughout the Pittsburgh area; and

WHEREAS, The JEI's goals include coordination of educational activities among local agencies, enhance the quality of instruction city-wide, act as community advocate for Jewish education initiatives, and convene community-wide programs involving adult and family education; and

WHEREAS, The JEI will celebrate its accomplishments on May 17, 1992 at the Westin William Penn Hotel and Honor the three individuals who were instrumental in this achievement: Dr. Arnold Broudy, Vice President

of Administration, Mr. Barton Cowan, Vice President of Programming, and Mr. Max Levine, Vice President of Education.

NOW, THEREFORE, LET IT BE RESOLVED, That the Council of the City of Pittsburgh commends the Jewish Education Institute of Pittsburgh and congratulates the JEI and its special honorees for their fine work and dedication to education and to the community; and

LET IT BE FURTHER RESOLVED, That the Council of the City of Pittsburgh declares May 17, 1992 to be Jewish Education Institute of Pittsburgh Day in the City of Pittsburgh.

Mr. Cohen moved to adopt the resolution.

Mr. O'Connor seconded the motion.

Which motion prevailed.

Mr. Cohen:

Thank you very much. Councilman O'Connor and I both wanted to give this proclamation to all of you in recognition of a very successful year. Your first year in operation and congratulate you for being able to take several disparate educational facilities and put them together into one, to I think make it -- the whole bigger than the sum of its parts. Which I think you did very well, and as I already introduced three of the people who are here today, but we also have Skip Grinberg who is with us, and Mr. Charles Perlow who is President, who would like to say a few words.

Mr. Perlow:

First, I would like to thank Councilman O'Connor and Councilman Cohen. We are deeply appreciative of this honor. This past year

for us has been a very interesting and challenging year. I think we really are an example of what Pittsburgh is about, and that's why I'd just a moment to tell you what we done.

We've taken three agencies and we put them together and we've created something that in our community in Squirrel Hill will create a fabric for the future. That is people have volunteered, people have given their time, our honorees have given a huge amount of time to build something of value in the community. I think that's what we're about, volunteerism is what we're about. It's the points of light we speak of that we have here that's going to mean that our community will be strong forever.

I'm extremely proud of what they've done and I want to thank you for this honor. Thank you very much.

Mr. O'Connor:

I just wanted to briefly congratulate the winners, and that building's been such an important part of our community for many years, and I'm glad to see the great work you've done. Congratulations, and I hope the dinner's a big success.

Mr. Cohen presents

No. 815 WHEREAS, every year the Bloomfield Business Association holds the Annual Morra competition during its celebration of the Pittsburgh Marathon; and

WHEREAS, the game of Morra is a unique, centuries-old competition played throughout Italian communities worldwide requiring exceptional hand coordination as well as mental agility and toughness; and

WHEREAS, Morra champions must defeat a skilled and experienced field of

competitors in Bloomfield in order to gain their distinguished title; and

WHEREAS, Girolamo "Diamond Jim" Sciallo succeeded in defeating a tough field of competitors to earn the title, Bloomfield Morra Champion, on May 2, 1992; and

WHEREAS, Michele Terrigno performed brilliantly to earn the title of first runner-up.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh commends Bloomfield Morra champions Girolamo Sciallo and Michele Terrigno for their expertise in Italian Morra and their contributions to the continuation of this honorable and festive tradition.

Mr. Cohen moved to adopt the resolution.

Mr. Ricciardi seconded the motion.

Which motion prevailed.

Mr. O'Connor:

Could Adam Maloney's parents please come up.

Mr. O'Connor presents

No. 816 WHEREAS, Adam Maloney, a resident of the City of Pittsburgh, in the Swisshelm Park District, is now engaged in a battle against cancer; and

WHEREAS, Adam Maloney has been an unflinching source of strength and courage to his friends and family and has demonstrated a faith and determination beyond his years; and

WHEREAS, on Sunday, May 3, 1992, the citizens of Pittsburgh will demonstrate their

support of Adam Maloney and his fight against cancer at a banquet at the Pittsburgh Hilton. The theme of the banquet is "A Tribute To Courage"; and

WHEREAS, many members of Pittsburgh's sports community will be on hand at the "A Tribute To Courage", including baseball's Dave Dravecky, Pittsburgh Steeler Gary Anderson, Olympic Gold Medalist Jeff Blainick and WTAE sportscaster Bill Hillgrove, to show their support for this worthy cause. Hopefully, their support will encourage others to participate in this effort to save a young man's life.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh wholeheartedly supports this fund-raising effort and encourages all of the citizens to do likewise; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh proclaims May 3, 1992, as "Adam Maloney Day" in the City of Pittsburgh.

Mr. O'Connor moved to adopt the resolution.

Mr. Millones seconded the motion.

Which motion prevailed.

Mr. O'Connor:

This was a successful dinner. We gave a plaque to Adam at the dinner. The dinner was attended by almost 300 people, but our schedules didn't connect right until today, and I wanted to make sure Adam got the full hearty support of our Council and the people of Pittsburgh. Congratulations.

Mr. Maloney:

I'd like to thank the City of Pittsburgh, my

friends, and my family who have supported me with prayers and all their love. And I'd just like to thank everybody, thanks.

Mr. O'Connor presents

No. 817 WHEREAS, Sunday, May 17, 1992, marks the fifth anniversary of community service of the Heritage Shadyside Nursing Home, located at 5701 Phillips Avenue, in the Squirrel Hill District of the City of Pittsburgh; and

WHEREAS, the Heritage has positioned itself within the community as an intervening care facility, providing the bridge patients require between hospital health care and the independence of home; and

WHEREAS, the Heritage Shadyside nursing facility is a leader in the area of the respite care concept, providing relief to families who are caring for the elderly in their homes. The goal of the Heritage Shadyside is to restore independence to their patients as soon as possible; and

WHEREAS, with the aging of the American population, particularly in Allegheny County and the City of Pittsburgh, extended health care facilities such as Heritage Shadyside will fill the void in the concept of a "continuum of care after a person leaves the hospital.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby congratulate all those involved in the delivery of patient care at the Heritage Shadyside and applauds the development of its concept of restoring independence as soon as possible to patients in need of extended health and nursing care in a compassionate and family centered way.

Mr. O'Connor moved to adopt the resolution.

Michelle Madoff seconded the motion.

Which motion prevailed.

Mr. O'Connor:

When we said the address is 5701, its directly in front of my house. So, when I'm ready I can just walk across the street, and I'm very glad they're there. They replaced a school and there was a lot of controversy in the neighborhood, but they've done outstanding work. I have a lot of friends and neighbors who have been there, and they're quite an asset to the community and we're certainly glad they're thereof.

Ms. Minnier:

On behalf of the Board of Directors, the Administration, and the employees and patients of Heritage Shadyside Nursing Home, I'd like to accept this and thank you all for your support.

Mr. O'Connor:

Would everybody involved with "Be A Sport", please come up.

Mr. O'Connor and Members of Council presents

No. 818 WHEREAS, it is the birthright of every child to be afforded an opportunity to participate in recreational activities and, furthermore, should not be denied this right due to economic hardship; and

WHEREAS, the generosity of the citizens of Pittsburgh is well known and well founded in a tradition of giving. Time and time again the people of Pittsburgh have responded generously to ensure that all share in the bounty this great Nation has to offer, and

WHEREAS, on May 16, 1992, the first

annual "Be A Sport Day" will be held in the City of Pittsburgh. The purpose of this day is to collect new and used recreational equipment which will be given over to children who could not otherwise afford it and to supplement the Department of Parks and Recreation's ability to bring meaningful and enjoyable recreational activities to all that it serves; and

WHEREAS, "Be A Sport Day" would have not come into existence were it not for the inspiration, dedication and hard work of Manny Gold, Dr. Charles Coffey, Roberta Lando, Franco Harris, Bruce Ross, Pittsburgh's Firefighters, the men and women of the Department of Parks and Recreation and the Department of General Services, and many others too numerous to mention.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh wholeheartedly supports this unique program and encourages the residents of the City to participate in this worthwhile project by donating their new and used recreational equipment; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh proclaims May 16, 1992, "BE A SPORT DAY" in the City of Pittsburgh.

Mr. O'Connor moved to adopt the resolution.

Mr. Milliones seconded the motion.

Which motion prevailed.

Mr. O'Connor:

I'd just like to explain real quickly, I had this idea last winter, and Manny Gold and I were talking about, and being new on Council and very busy I kept putting it off, and Manny kept pushing me and calling me, when are we going to

start, when are we were going to start.

And its been very successful. Roberta did all the writing, the Firefighters have agreed to volunteer on their time to deliver the equipment, and Parks and Recreation really got behind it.

I also want to thank the media for giving us so much coverage, and I think its something that hopefully this Council who I'm very proud to be associated with, we all work very well together, that can get behind and show Pittsburgh what we're all about.

It is one little thing to give a kid a ball, but I think in these times, especially inner cities this could be a good omen for all of us to work for things to come. And just to remind everybody we're going to have Friday morning in front the City-County Building from 7:00 a.m. to 1:00 p.m., we're going to have pick-up, and before Friday nights Pirate game in front of Gate B from 5:00-7:30 p.m., we're going to pick up equipment, and Saturday from 10:00 a.m. to 3:00 p.m. at all your recreation centers, and all 38 Fire Departments. I wholeheartedly thank everybody whose helped me and my fellow Council members for supporting it so much.

The Chair:

I'd like to say a word, maybe other members of Council do also. I'd like to compliment our colleague Councilman O'Connor for coming up with such a simple but beautiful idea here in the City of Pittsburgh to help people that are less fortunate. It so simple it kind of smacks you in the face, but its such a great idea. It's really very refreshing to see this kind of program be put forth.

Mr. Cohen:

I agree. I just want to echo your sentiments and also congratulate the people who

did the promotion for it which will continue. I think that was terrific to get Franco Harris aboard, and everybody who's here Manny Gold, and I think everybody in the City of Pittsburgh knows about it, and hopefully you'll have a great success on Friday.

Mr. O'Connor:

When we thought about doing a small commercial, you know one of us doing it would be certainly political, but Franco just asking and telling about the program really jumped on it and volunteered all his time. He's out of town today and I think he really helped to bring of lot of attention to it. He's done a lot for kids and I can't think of anybody that represents Pittsburgher's more than Franco Harris. So, I'd like to thank everybody.

Mr. Cohen:

When I saw you and Franco on television I thought maybe you were the new recruit for the Pittsburgh Steelers, but it was a good commercial.

Mr. O'Connor:

The only problem my neighbors said "I didn't know you were so little". It isn't me, it's that Franco's so big.

And I'd like to thank the Pirates who already donated 300 gloves. It's off to a terrific start already.

Mr. Onorato:

I'd like to call Chief Kennedy up.

Mr. Onorato presents

No. 819 WHEREAS, the members of Pittsburgh emergency medical services teams

devote their lives to saving the lives of others; and

WHEREAS, emergency medical services teams consist of paramedics, emergency physicians, nurses, first responders, educators and administrators; and

WHEREAS, the residents of the City of Pittsburgh benefit daily from the knowledge and skill of these trained individuals; and

WHEREAS, advances in emergency medical care increase the number of lives saved every year; and

WHEREAS, the professional organization of providers of emergency medical services promote research to improve emergency medical care; and

WHEREAS, the designation of "Emergency Medical Week" will serve to educate the people of Pittsburgh of its value and service to the community; and

WHEREAS, it is appropriate to recognize the accomplishments and value of emergency medical service teams by designating "Emergency Medical Services Week".

NOW, THEREFORE, BE IT RESOLVED, that the elected officials of the City of Pittsburgh do hereby declare the week of May 10 to May 16, 1992 to be "Emergency Medical Services Week" and call upon the citizens of Pittsburgh to avail themselves of informational and training programs to become informed about Emergency Medical Services.

Mr. Onorato moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. Onorato:

At this point in time, I'd like to have Chief Kennedy make any comments he would like about the EMS services.

Chief Kennedy:

Thank you, Councilman Onorato. I'd like to again thank Members of Council for this resolution, and thank you for your continued support of the Bureau of Emergency Medical Services.

It's a difficult job that the men and women of the Bureau do taking care of the sick and injured of the community, but it's something we're quite proud of, and I believe we do quite well.

I think I would be remiss also if I didn't express the Bureau's gratitude to outgoing Director Glenn Cannon who of course began the Bureau of Emergency Medical Services back in 1975. Thank you for the resolution, and I know I can count on your continued support. Thank you.

Mr. Cohen presented

No. 777 Resolution amending Resolution No. 67, eff. February 21, 1990, entitled, "Providing for an Agreement or Agreements with the Hunger Services Network for the provision of administrative assistance in carrying out hunger related programs of the "Hunger Task Force" in an amount not to exceed \$10,000.00, so as to reduce the amount appropriated to \$3,464.07 (-\$6,535.93).

Also,

No. 778 Resolution amending Resolution No. 294, eff. April 13, 1989, entitled "Providing for an Agreement or Agreements with

the 31st Ward Citizens Council for general site improvements for low-moderate income families, at a cost not to exceed \$10,000.00, so as to reduce the amount appropriated to \$6,202.89 (-\$3,797.11).

Also,

No. 779 Resolution amending Section 11 of Resolution No. 1267 of 1977, as previously amended by Resolution Nos. 483, 829, 999 and 1563 of 1978; by Resolution Nos. 252, 308, 590 and 706 of 1979; by Resolution Nos. 352, 448 and 1191 of 1980; by Resolution Nos. 560, 888 and 1363 of 1981; by Resolution Nos. 418 and 911 of 1982; by Resolution Nos. 98, 286 and 1015 of 1986; by Resolution No. 192 of 1989 and by Resolution No. 141 of 1990 entitled "Providing for the filing of an application by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1978 CDBG Program," by reprogramming funds (\$2,029.89) from City Council "Unspecified Local Options" to the Parks & Recreation Department and creating a new line item.

Also,

No. 780 Resolution amending Resolution No. 1046 of 1976, as previously amended by Resolution No. 551 of 1977, Resolution Nos. 595 and 596 of 1978, Resolution No. 591 of 1979, Resolution No. 1418 of 1981, Resolution No. 151 of 1982, Resolution No. 104 of 1986, Resolution No. 704 of 1987, and Resolution Nos. 141 and 1151 of 1990, entitled, "Providing for the filing of an application by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1977 CDBG," by decreasing a line item in City Council and adding reprogrammed funds to the Parks Department."

Also,

No. 781 Resolution amending Section 10 of Resolution No. 79, eff. March 7, 1989, as amended by Resolution No. 776 of 1989; by Resolution No. 874 of 1990 and by Resolution No. 1159 of 1991 entitled "Providing for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1989 CDBG Program," so as to decrease a line item in City Council and create a line item in the Department of Parks and Recreation.

Also,

No. 782 Resolution amending Section 11 of Resolution No. 1549 of 1978, previously amended by Resolution Nos. 251, 317 and 649 of 1979, by Resolution Nos. 286 and 1192 of 1980, by Resolution No. 1203 of 1981, by Resolution Nos. 393 and 1013 of 1983, by Resolution No. 100 of 1986, by Resolution No. 677 of 1987, and by Resolution Nos. 140 and 1152 of 1990 entitled "Providing for the filing of an application with the U.S. Department of Housing and Urban Development for a grant in connection with the 1979 CDBG Program," so as to reduce the allocation to City Council (-\$4,049.32) and create a line item in the Department of Parks and Recreation.

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Darkins presented

No. 783 Resolution authorizing the Director of the Department of Public Works to grant an encroachment permit to Bedcliff Associates for the installation of two canopies over a portion of the sidewalk area at 1821-1823 Bedford Avenue in the 3rd Ward, 6th Council District of the City of Pittsburgh.

Also,

No. 784 Resolution authorizing the Director of the Department of Public Works to grant an encroachment permit to Bedcliff Associates for the installation of a canopy over a portion of the sidewalk at 815 Cassatt Street in the 3rd Ward, 6th Council District of the City of Pittsburgh.

Also,

No. 785 Resolution authorizing the Director of the Department of Public Works to grant an encroachment permit to Central Hill Associates for five canopies over a portion of the sidewalk at 2-4-6-8-10 Roberts Street in the 3rd Ward, 6th Council District of the City of Pittsburgh.

Also,

No. 786 Resolution authorizing the Director of the Department of Public Works to grant an encroachment permit to Central Hill Associates for a canopy over a portion of the sidewalk at 75 Roberts Street in the 3rd Ward, 6th Council District of the City of Pittsburgh.

Also,

No. 787 Resolution authorizing the Director of the Department of Public Works to grant an encroachment permit to Central Hill Associates for a canopy over a portion of the sidewalk at 256 Dinwiddie Street in the 3rd Ward, 6th Council District of the City of Pittsburgh.

Also,

No. 788 Resolution authorizing the Director of the Department of Public Works to grant an encroachment permit to the Bedcliff

Associates for three canopies over a portion of the sidewalk area ■ 1836-1838-1840 Arcena Street in the 3rd Ward, 6th Council District of the City of Pittsburgh.

Also,

No. 789 Resolution authorizing the Director of the Department of Public Works to grant an encroachment permit to Bedcliff Associates for a canopy over a portion of the sidewalk of 809-811 Ledlie Street in the 3rd Ward, 6th Council District of the City of Pittsburgh.

Also,

No. 790 Resolution authorizing the Director of the Department of Public Works to grant an encroachment permit to Bedcliff Associates for six canopies over a portion of the sidewalk at 714-716-718-720-722-724 Manilla Street in the 3rd Ward, 6th Council District of the City of Pittsburgh.

Also,

No. 791 Resolution authorizing the Director of the Department of Public Works to grant an encroachment permit to Bedcliff Associates for a canopy over a portion of the sidewalk ■ 15 Manilla Street in the 3rd Ward, 6th Council District of the City of Pittsburgh.

Also,

No. 792 Resolution authorizing the Director of the Department of Public Works to grant an encroachment permit to Ernest Ceraso for ■ fence on a portion of the right-of-way of Redoak Way in the 19th Ward, 2nd Voting District of the City of Pittsburgh. This request is made by Ernest Ceraso to fence off his swimming pool for security purposes.

Which were severally read and referred to the Committee on Public Works.

Mr. Milliones presented

No. 793 Resolution providing for an agreement or agreements with various agencies for job development and employment services in connection with the Neighborhood Employment Program at a cost not to exceed \$200,000.00.

Also,

No. 794 Resolution providing for an agreement or agreements with various agencies for job development and employment services and/or on-the-job training in connection with the Pittsburgh Partnership Employment Program at a cost not to exceed \$200,000.00.

Also,

No. 795 Resolution providing for authorization to make all legitimate administrative expenditures necessary to implement the Pittsburgh Partnership Employment Program; providing for the periodic transfer of funds to reimburse for program administrative costs incurred, and providing for the periodic transfer of funds to be used for wages and fringe benefits for participants of the Pittsburgh Partnership Employment Program, the aggregate amount not to exceed \$100,000.00.

Also,

No. 796 Resolution providing for an agreement or agreements with ■ consultant or consultants for professional services in connection with the research, evaluation, validation, development and administration of Civil Service examinations at a cost not to exceed \$80,000.00.

Which were severally read and referred to the

Committee on Finance.

Mr. Milliones moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Ricclardi seconded the motion.

Which motion prevailed.

Also,

No. 797 Resolution providing for the issuance of a warrant in the sum of \$82,500.00 to Kimberly Moros c/o Gary M. Davis, Esq., her attorney, Davis & Abramovitz, 1034 Fifth Avenue, Suite 400, Pittsburgh, PA 15219 in full and final settlement of an alleged collision between plaintiff and an emergency medical services vehicle of the City of Pittsburgh at the corner of Oakland and Fifth Avenues in Oakland in the City of Pittsburgh on or about October 24, 1988, payable from Code Account No. 46, Judgments.

Also,

No. 798 Resolution providing for the issuance of a \$900.00 warrant in favor of Doris Jean Froelicher in settlement of claim for sidewalk damage at 6807 McPherson Boulevard, payable from Code Account No. 46, Judgments.

Also,

No. 799 Resolution of the City Council of the City of Pittsburgh (the "City") determining to incur lease rental debt in a maximum aggregate principal amount not to exceed \$16,300,000.00 (\$_____ by entering into a supporting agreement (the "Supporting Agreement") with the Public Auditorium Authority of Pittsburgh and Allegheny County (the "Authority") and the

County of Allegheny; determining that such lease rental debt shall be evidenced by the supporting agreement by which the City agrees to pay one-half of the debt service on the Public Auditorium Authority of Pittsburgh and Allegheny County, Auditorium Bonds, to be issued by the Authority in a maximum principal amount not to exceed \$_____ of 1992 Series A Bonds; authorizing and directing the property officers of the City (A) to prepare, to certify and to file the debt statement required by Section 410 of the Pennsylvania Local Government Unit Debt Act; and (B) to execute, to attest and to deliver, ■ appropriate, the supporting agreement between the City and said Authority; approving the form of said supporting agreement; specifying the maximum amounts of the supporting obligation of the City pursuant to said supporting agreement and the sources of payment of such supporting obligation and pledging the full faith, credit and taxing power of the City in support thereof; providing for property officers of the City to take all other required, necessary or desirable related action in providing for the effectiveness of the resolution; providing for the severability of provisions of this resolution; and providing for repeal of all inconsistent resolutions or parts of resolutions.

Also,

No. 800 Resolution transferring \$50,000.00 from Code Account 1066, Equipment, and \$20,000.00 from Code Account 1068, Lien Filing Fees, to Code Account 1063, Miscellaneous Services, Department of Finance. This request is to provide funds for the furnishing, delivery, installation, and training of ■ new computerized cashier system with payment validation, optical scanning and encoding capabilities for the Cash Management Section, Department of Finance.

Also,

No. 801 Resolution providing for a professional service agreement or agreements with a consultant or consultants for the furnishing, delivery, training, and installation of a computerized cashier system with payment validation, optical scanning, and encoding capabilities for the Cash Management Section, Department of Finance, at a total cost not to exceed \$70,000.00, chargeable to and payable from Code Account 1063, Miscellaneous Services, Department of Finance.

Also,

No. 802 Resolution Repealing Resolution No. 1198, Item D, eff. December 20, 1991, which authorized the sale of a two story, brick house, known as 1106 Montezuma Street, 12th Ward, designated as Block 124 M, Lot 237, to Mary Mason and John Mason, for the of \$2,000.00. The reason for the repealing Resolution is that the address of the property is listed as 1106 Montezuma St. and should correctly be listed as 1206-1/2 Montezuma Street a/k/a 1108 Montezuma Street. (Council District #9).

Also,

No. 803 Resolution amending Resolution No. 78, Item D, eff. February 18, 1991, which authorized the sale of a 2-1/2 story, brick veneer, house situated on a lot 25' x 73.05', located at 7001 Idlewild Street, 13th Ward, Block 124 H, Lot 166, to Daniel H. Robinson, for the sum of \$7,500.00. The reason for the amending resolution is to correct the Block and Lot number which currently reads Block 124 H, Lot 166 to read Block 125 H, Lot 166. (Council District #9).

Also,

No. 804 Resolution providing for conveyance by the City of Pittsburgh of certain property, under Act No. 171 of 1984, entitled,

"Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

Also,

No. 805 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties, acquired at tax sales in accordance with Act No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

Which were severally read and referred to the Committee on Finance.

The Chair presented

No. 806 Communication from Ben Hayllar, Director, Department of Finance, submitting a report of deposits and the market value of securities pledged as collateral by City Depositories as of February 29, 1992.

Also,

No. 807 Communication from Ben Hayllar, Director, Department of Finance, submitting a report of deposits and the market value of securities pledged as collateral by City Depositories as of March 31, 1992.

Which were read, received and filed.

UNFINISHED BUSINESS

The Chair presents

No. 518 Resolution appointing Donald Machen, 1256 Beechwood Boulevard, Pittsburgh, Pennsylvania 15206, as a City Magistrate for a term to expire January of 1996.

Which was read.

Also,

No. 519 Resolution appointing Louis C. Coles, 3220 Webster Avenue, Pittsburgh, Pennsylvania 15219, as a City Magistrate for a term to expire January of 1993. Mr. Coles is replacing Donald Turner.

Which was read.

Mr. Ferlo moved to approve the two appointments.

Michelle Madoff seconded the motion.

Mr. Ferlo:

Mr. Chairman four weeks ago I strenuously lobbied this Council, and for that matter the public for the need to hold for four weeks the appointment. I believe the Mayor has once again made two great appointments and that is Mr. Machen and Lou Coles, who I hope will be confirmed by the Council as City Magistrates.

Unfortunately, the Mayor also made another great appointment and that was Judge Miskovich and when Judge Miskovich was appointed by the Mayor, Mayor Masloff, I believe I stated at the time that I thought it was the best appointment that she ever made. I didn't know Judge Miskovich when she made the appointment.

And the time that she was on the bench I learned that those words echoed true, that she indeed was a great Magistrate. I know to many Council members, to many neighbor groups, landlords, residence, you name it. Many people appeared before Judge Miskovich and I think were dealt with very fairly and very just. And I think Judge Miskovich helped promote a public policy in the City of not only fairness, but I think she really truly represented what we need on the bench, but more specifically what we need in

Housing Court.

All of the political shenanigans, what have you, all the intrigue, all the inner City Grant Street politics associated with the whole emotion had nothing to do with the quality or the character of the two nominees, which I wholeheartedly support. All of it very clearly, and I don't think it was -- you didn't need to be a soothsayer to understand what was going on four weeks ago. Many of us felt very strongly that we needed an opportunity to convey to the Mayor our very deep concern and support for Judge Miskovich.

Having said that I feel that I have done all that I can do as an elected Council member to prevail upon the Mayor the need to reappoint Judge Miskovich. We did so by bringing a lot of neighborhood leaders and others down four weeks ago to express their concern and support. I believe there may have been follow up meetings, probably letters, and personal calls to the Mayor regarding the need for Judge Miskovich to be reappointed.

At this point as far I'm concerned Jim Ferlo, elected Council member, I've done everything I can do regarding the situation with Judge Miskovich. It's really in the hands of the Mayor, and I think the reason why I'm voting in favor of the two nominees today are for two reasons, one they happen to be both great appointments. I'd just like the Mayor's appointment of Judge Miskovich, and I'll be voting in the affirmative, and importantly we need the City Court Magistrates, but we also need Judge Miskovich.

Michelle Madoff:

Mr. President and Members of Council, not only is Deborah Miskovich a close personal friend, but she worked very closely with me on the blighted property legislation, which I think is going to go a long way to help all our

communities.

It is unfortunate that Council and the Administration felt a need to be really at each others throats. I really and truly believe that --and I think I had mentioned this, and I don't want to talk about which colleagues I talked to, but you know who you are, that sometimes be careful of what you wish for you might get it. We created in essence an unfortunate situation on this Council. The two people before us should have been appointed almost immediately. Deborah Miskovich whose a very gracious, great lady, and a states person, wrote a letter to this Council and said, "you should not hold up these two appointments they are needed".

For some reason the Administration thinks she orchestrated this whole episode that she got Council to hold the other two back. That is entirely untrue. She wanted us to vote for the other two, because she felt that her problems or her needs or her desire to serve the community was not the priority issue. The priority issue was getting good people like Don Machen and the other gentleman appointed to serve, because we have a shortage of Magistrates.

The thing that we need to realize -- it always amazes me and amuses me that even our corporate presidents don't understand how City government works. We have in essence a strong Mayor system and a weak Council system, and it is true we can flex our muscles with six votes. However, the bottom line is no matter how much money we appropriate if the Administration doesn't want to do it, it doesn't get done. For example, we'll put in the money for police officers, the Administration doesn't hire them, we just don't get them.

I think what's really an unfortunate situation because in this instance what happened was one of my colleagues raised the issue of legality and the Administration in firing Deborah

Miskovich stated that as the reason. That they're afraid that her rulings would not be legally binding. And that's what I mean by perhaps we created a problem. Maybe this is true and I think I commend my colleague for looking into it and clarifying it, and I think its a good thing.

It is my personal opinion and I want to be right on this one that the Mayor will reappoint Deborah Miskovich. I really believe that's going to happen, and I hope in this instance that I'm correct, and I think my colleagues would join in wishing that that would happen.

I think Mr. Ferlo has already stated that. I think we kept the reappointment by playing hard ball, and I think its unfortunate that she became the football in this issue. I urge us to go ahead as Mr. Ferlo has said, and appoint these two very desperately needed Magistrates and send a letter to the Administration, if we have not already done so expressing our great support for Deborah Miskovich and asking that she be reappointed.

Mr. Cohen:

Thank you, Mr. President. I believed a month ago and I believe now still that is was a serious mistake for the Mayor to relieve Magistrate Miskovich of her duties. I think that she was a very strong Housing Court Magistrate, very pro-neighborhood and did a terrific job. I hope that in the future that the situation that led to Deborah Miskovich's being taken away from her position will be corrected by the referendum that this City Council voted to put on the ballot.

And that referendum essentially says, that in the future there will not be at will Magistrates, but rather Magistrates who serve for a specified period of time and would have a term that has a beginning point and an end point. When that goes on the November ballot I think we have an obligation to let the people of Pittsburgh know what that's about.

But, two wrongs don't make a right. And the nomination of Don Machen and Lou Coles, I think was a good nomination, that both of them are well qualified for the job, and the City Court docket right now is overflowing, and they absolutely need those Magistrates.

I've worked with both of them and I think that they both will do a terrific job. So, I hope that Councilwoman Madoff is right that Deborah Miskovich will be reappointed, but in the meantime we need to approve these Magistrates to be able to get City Court back on line.

Mr. Milliones:

Call the question Mr. President.

The Ferlo:

I want to correct one concern that Michelle Madoff raised. Least Historians be confused 50 years from now on the chain of events so let's make it clear.

When the Mayor sent over the two nominees today at that point we made a very simple inquiry to the Administration. I believe I offered the question that was; what is the status of Judge Miskovich? At that point it opened up a can of worms, because it was clear to some of us at least that she was not going to be reappointed or that her tenure was in jeopardy.

So, let's be clear on the chain of events. We didn't create the situation. We received two very good nominees. At the same time we know that in sending those two nominations over we had an increase of one Magistrate more than we budgeted, and at that point it was legitimate for Council to question; well what is the status of Judge Miskovich? And that's what's began this process.

The Chair:

Well, I want to make a brief comment, because I've tried to orchestrate something here and obviously it has not occurred. I also think Mr. Coles and Mr. Machen are good appointments.

However, I also feel that Judge Miskovich was an excellent appointment and I think she did a high quality job, as good a job in Housing Court as anyone has ever done. And the community groups are a testament to that, and they were in here that day, and I know it happened in neighborhoods in my district and I know it's happened in neighborhoods throughout the City. And certainly we need to ride herd over absentee landlords and we need a Judge with that kind of commitment.

I'm going to abstain today, and the reason why I'm going to abstain is still the reason given for Judge Miskovich being fired, which was by Mr. Woodcock that Council was holding these appointments, and that comment was made four or five weeks ago. Council, I think has simply tried to work out a difficult situation. I don't think Judge Miskovich will be appointed in the future, because there has been no commitment made to do that.

And quite frankly, I have said all along that the Magistrates Court and what they are paid do not work as many hours as we think they should work. And I think the Magistrates Court for the last four weeks has been working fine. I see no problem to hold off a couple of more weeks, but I understand all of your positions, and I understand what all of you are trying to achieve also.

Michelle Madoff:

Mr. President, with do respect to your office and as President of Council, I don't care

who the Mayor is. It can be the worst Mayor in the world or the best Mayor in the world, no one has the authority or the right to tell a Mayor whether that's a correct thing to do or not the correct thing to do. They could appoint Atila the Hun, we don't have that authority.

And I think that for cohesiveness and to work together with the Administration I urge you not to withhold your vote. We all understand what was going on here. I want to set the record straight for the next 50 years. Deborah Miskovich thought she was appointed she was told she was reappointed. And so there's a lot of confusion. I think we ought to put all this behind us. The City has too many problems. We have as you pointed out Mr. President so much problems with blighted property and absentee landlords. Don't withhold your vote. I ask you to make it unanimous and put the ball in the Mayor's court and see if the right thing will be done.

The Chair:

Maybe you're right.

Mr. Ferlo:

Mr. Chairman, assuming the two nominees receive the majority of support we may be bringing this chapter to a close. We are not finishing the book on this whole issue, and as far as I'm concerned this issue will be a political issue, because it's a matter of public policy, and it's going to be a political issue next year in the Mayor's race. That is how City Court's running, how the Housing Court is running, what the travesty of justice committed on Justice Miskovich. So, the book is not over with completely concerning this issue.

The Chair:

Roll call vote on both appointees.

The Chair:

Is there any discussion on the appointments?

And on the question, "Shall the appointments pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Darkins	Mr. O'Connor
Mr. Ferlo	Mr. Onorato
Michelle Madoff	Mr. Ricciardi

AYES 8

NOES none

(MR. WAGNER ABSTAINING)

And a majority of the votes of Council being in the affirmative, the appointments passed finally.

The Chair:

Any other Unfinished Business to come in front of Council?

Mr. Ferlo:

Many months ago we made an inquiry with the Administration on the issue of the grants and donations. I've been trying to find out from the Parks Department what is happening with various grants under that one department. Many of the grants and donations are either in Parks or in Planning mostly, and the last inquiry from my office to Parks was that they are not processing any of the grants and donations. I'd like an explanation from -- If Dr. Milliones knows any new information from Director Turner or yourself.

Mr. Millions:

I thought they were processed two weeks ago. They were processed. We passed that legislation.

Mr. Ferlo:

We passed the authorizing legislation; following that I was told by the administrator's in the Parks Department that they were not to process any of the grants and donations. I'd like an explanation from the President or Councilman Millions.

Mr. Millions:

So would I. This is the first I've known about the Administration not processing grants and donations.

Mr. Ferlo:

Okay. I'm raising it as an issue.

Mr. Millions:

I will inquire immediately after this meeting.

Mr. Ferlo:

Thank you very much, Dr. Millions.

Michelle Madoff:

Point or order, Mr. President. Mr. Perry informs me that these will be paid in four days. I just ask him a few minutes ago.

Mr. Ferlo:

I'm not disputing the fact that we passed the authorizing resolutions. Dr. Millions has

responded, he's going to find out and we'll get a report. I'm happy with that.

The Chair:

If I may add to it and I believe it was the understanding that until all the labor contracts were decided some items were being held back in terms of payment.

Mr. Ferlo:

I just want to know what's happening.

The Chair:

But, we shall find out.

Michelle Madoff:

Mike, did you send every member of Council a copy of the report on the under 700, over 700 claims?

Mr. Perry:

Yes.

REPORTS OF COMMITTEES

Mr. Millions presented

Bill No. 808

Report of the Committee on Finance for May 6, 1992 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 712

A Resolution entitled, "Resolution providing for

the issuance of warrant in the sum of \$6,250.00 to the estate of Franklin B. Heemer and David C. Martin, Jr. Esquire, 2006 Noble Street, Pittsburgh, PA 15218 in full and final settlement of alleged personal injuries by a police canine on or about November 9, 1987."

Which was read.

Also,

Bill No. 713

A Resolution entitled, "Resolution providing for the issuance of a warrant in the sum of \$3,250.00 to Doris Fontana and Francis Carey, Esquire, 3303 Grant Building, Pittsburgh, PA 15219 in full and final settlement of an alleged accident at Parkway Center Drive and Greentree Road on or about January 29, 1985."

Which was read.

Also,

Bill No. 734

A Resolution entitled, "Resolution providing for the issuance of a \$1,750.00 warrant in favor of Betty A. Strambler in settlement of claim for property damage."

Which was read.

Also,

Bill No. 735

A Resolution entitled, "Resolution providing for the issuance of a \$850.00 warrant in favor of Nellie Pasteryk for automobile damage."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 9

NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 736

A Resolution entitled, "Resolution providing for conveyance by the City of Pittsburgh of certain property, under Act No. 171 of 1984, entitled, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984."

Which was read.

Also,

Bill No. 737

A Resolution entitled, "Resolution authorizing the sale of 2600 Burgess Street, a/k/a Wilson Avenue, in the 26th Ward of the City of Pittsburgh to the Perry Hilltop Association for successful enterprises for the sum of \$10,000.00."

Which was read.

Also,

Bill No. 738

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties, acquired at tax sales in accordance with Act No. 171 of 1984, 'Second Class City Treasurer Sale and Collection Act', effective December 11, 1984."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 753

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Anthony

Auretto, New Image Press, 4433 Howley Street, Pittsburgh, PA 15224, in the amount of \$500.00 in payment for professional consulting services rendered to Councilman Jim Ferlo."

---(SPONSORED BY MR. FERLO)

Which was read.

Mr. Ferlo moved to have Bill 753 effective upon the signature of the Mayor.

Michelle Madoff seconded the motion.

WHICH MOTION PREVAILED.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 9 NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bill passed finally.

Mr. Darkins presented

Bill No. 809

Report of the Committee on Public Works for

May 6, 1992 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 732

A Resolution entitled, "Resolution authorizing the Director of the Department of Public Works to grant an encroachment permit to Bell of Pennsylvania for the installation of a telephone cabinet and two bollards in the right of way of Kentucky Avenue in the 7th Ward, 8th Voting District of the City of Pittsburgh."

Which was read.

Mr. Cohen:

Thank you, Mr. President. This is a bill involving a telephone cabinet that was put on Kentucky Avenue at Maryland in the 7th Ward. I've done a little bit of investigation on this and we were told at the Council meeting that the residents were informed of this, and that they gave their permission for this telephone cabinet to go in, and if you recall Bell Telephone went in and placed this cabinet without ever getting any permit from the City to do that.

In fact, most of the residence were not informed, only one was. We have the letter that they were supposedly informed by and asked for their permission. The letter doesn't in any way ask for their permission. In fact, that particular neighbor objected to it being placed in front of his house, and the five other neighbors who are actually affected objected.

They were given and we were given false information about this box. They said that is was two and a half by three feet. We measured it, its really three by four and a half feet, which may

seem to be a lot but that's actually a huge box that's in front of somebody's house.

There's already graffiti on it and I think we need to reexplore this whole issue of whether a telephone company or any other company or utility can put something in without permission and misinform the residence.

So, I'd like to have this bill recommitted please.

Mr. Ferlo seconded the motion.

WHICH MOTION PREVAILED.

Mr. Cohen presented

Bill No. 810

Report of the Committee on Planning, Housing and Development for May 6, 1992 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 731

A Resolution entitled, "Resolution providing for the execution of a cooperation agreement or agreements with the Urban Redevelopment Authority of Pittsburgh for the performance of certain work in connection with the 1992-1993 Community Development Block Grant Program, and providing for the payment of the costs thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 739

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to file a declaration of taking on behalf of the City of Pittsburgh to acquire title in fee simple to property in the first ward of the City of Pittsburgh for public uses ancillary to the construction and use of a building to house courts and other municipal offices in the Public Safety Complex and authorizing payment of just compensation and other necessary and incidental costs reflecting thereto."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Michelle Madoff	Mr. Ricciardi
Mr. Milliones	Mr. Wagner
	(Pres't)

AYES 8 NOES 1

(MR. FERLO VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Ferlo presented

Bill No. 811

Report of the Committee on General Services for May 6, 1992 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 477

A Resolution entitled, "Resolution requesting the Director of general Services to prepare a report to Council, to be submitted no later than ninety days from the adoption of said Resolution, regarding improvements and changes needed to improve administrative procedures and policies relating to purchasing and procurement." (AS AMENDED IN COMMITTEE)

Which was read.

Also,

Bill No. 754

A Resolution entitled, "Resolution amending Resolution 1136, effective December 13, 1991, which reads as follows: "Authorizing a Cooperation Agreement or agreements between the City, the Urban Redevelopment Authority of Pittsburgh and the Housing Authority of the City of Pittsburgh for the purchase of the John P. Robin Civic Building located at 200 Ross Street, Pittsburgh, PA 15219 and providing for the management and allocation of space therein"; by amending the Project Number from 03-30-01-0036-92 to 04-30-01-0036-92 and by amending the project allocation by \$200,000 from 1,100,000 to 1,300,000."

Which was read.

Also,

Bill No. 755

A Resolution entitled, "Resolution further amending Resolution No. 1296, effective January 1, 1992, entitled "Resolution adopting and approving the 1992 Capital Budget and the 1992 Community Development Block Grant Program; and approving the 1992 through 1999 Capital Improvement Program", by amending the Project Number for Project 527 (Ross Street Acquisition) from 3-30-01-0036-92 to 04-30-01-0036-92."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably

to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferio	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Ricciardi presented

Bill No. 812

Report of the Committee on Engineering and Construction for May 6, 1992 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 761

A Resolution entitled, "Resolution further amending Resolution #1296, effective January 1, 1992, as amended, entitled "Adopting and approving the 1992 Capital Budget and the 1992 Community Development Block Grant Program; and approving the 1992 through 1997 Capital Improvement Program", by creating a new line EC 92-27, Station Square Road."

Which was read.

Also,

Bill No. 762

A Resolution entitled, "Resolution providing for a Cooperation Agreement or Agreements with the Urban Redevelopment Authority to undertake the Design of Station Square Road; and providing for the payment of the costs thereof."

Which was read.

Mr. Ricciardi:

Thank you, Mr. Wagner. Obviously, I support this bill. I think this is going to be good for the City of Pittsburgh if we could have an expansion down at Station Square in terms of economic development, jobs, and just viability of the City of Pittsburgh.

I think Mr. O'Connor raised a very good point, and that's when he questioned if there was any type of agreement with this money. I think what Mr. O'Connor was eluding to is that we need a plan on knowing how we're pursuing with our relationship with the developer. And I think right now its more of less piece mail and its working towards an end. We did have several requests with the Administration at the table, and I hope as soon as possible that they get that plan today to us, and let us know how we're going to pursue; how the funding is going to work; what commitments are coming from the developer, and exactly what the City of Pittsburgh, how we're going to be part of that partnership.

Mr. Ferio:

I'd like my comments brought forward.

I'm all for the expenditure, because thanks to Council and yourself, Mr. Cohen and others in particular, and Mr. Ricciardi we're moving off dead center on this issue, and with this money we're providing some of design cost.

But, I'm still somewhat frustrated and I'm

still not happy with some of the comments I heard at the table, because I still don't believe that we have an actual plan and clear commitment on the part of the Administration to move along on this project.

I personally believe that if there are continued problems associated with the issue of the tax increment financing that we at least evaluate from a financial point of view the wisdom of doing a general obligation bond, and moving this project to fruition. Doing it quickly and getting done with it.

I can point to a number of projects each year we languish away, you know Washington's Landing is an example, J&L Technology Center. We've invested millions and millions and millions of dollars over \$20 million dollars in each instance. That money's invested the land has laid idle for upwards of seven, eight and nine years. Only recently did we begin to see a turn around.

The opposite is true in the Station Square Complex. We make a little bit of investment and we get a lot of return. So, I just hope that we can come to an agreement before the budget debate, and just know very clearly where we stand with this project. If it makes good sense financially, and I think this makes more sense then some of the deals in the past associated with bailing out the Pirates, and things of that sort.

I think we need clear commitment and a plan and a blueprint to what we need to do. I don't think we need to be hung up on this tax increment financing issue, because I'm still skeptical of whether or not the county's going to come on board, and I think we need to know what the financial numbers are and whether or not a floating and general obligation bond for the \$4 million is a better route to get the job done, and be done with it, and move on and do something else constructive. So, I'm voting aye for it with those

reservations.

Mr. Cohen:

Thank you, Mr. President. I'd like my comments brought forward.

I agree that we don't have a clear commitment from the Administration, which is why I think Council had to take the lead on this which we did, and I think that we've done it well. Because, I think we actually do have a plan and that is we're not rejecting tax increment financing at all. What we're saying is its going to take too long to be able to get tax increment financing in shape, that is to bring the school board and the county together with the City to make it happen fast enough to avoid delays in the Station Square expansion project.

So, what we're doing is providing \$120,000 for the design phase of the innersection and part of the expansion road.

Frankly, I see that as a grant the \$120,000. I'm not talking about the \$4 million. And I think that its possibly the best spent money that we could do under the circumstances with a potential there of \$18 million in foundation commitment and a \$160 million project all together from private sources.

It seems to me \$120,000 is a small price to pay to be able to be the stimulus to make that happen. So, if we sunk \$20 million into Washington's Landing and only now are seeing the beginnings of the fruits of that labor, this is a very small amount of money to spend to be able to get a much bigger bang for our buck.

So, I think we do have a plan if the Administration isn't on board yet, we've given them a two month fuse, the URA in particular to put the tax increment financing together. If they don't do it in that time then we come back

together and continue to take the lead on this issue.

Mr. Milliones:

I don't understand this conversation, because last week we had a Council briefing by Mr. Whitmer from URA at which he explained the whole financing packaging of this proposal, and I didn't hear anything during that briefing that would indicate that anyone is opposed to it. And as I understand it they were moving straight ahead with the school district as well as the county.

So, I don't understand this lack of commitment. It's not my understanding that there's any lack of commitment. I understand they're pushing as quickly as they can, and given the problems of working with another taxing body such as the school district and the county, and its my understanding that by June this hopefully will be in place. So, I don't see the need to cast this gloom over what seems to be a positive project.

Michelle Madoff:

I echo the sentiments of Councilman Milliones. I think there are enough times when I am really annoyed with the Administration and I'm not reticent about speaking my mind as are the rest of the Council members. I think this is one instance where we're all in agreement. Let's get on with it, and I don't think there's any question that this could be the turning point for the City in the way of jobs.

I would like my comments brought forward from the meeting the other day.

I think Council and the Administration needs to do more than that \$120,000 as I said earlier to just do the design for the turn around. Lets get the road in place. There's an old saying,

you don't put a road where people are, you put a road and people will come, and let's get that road in place. Not only this little turn around. Am I right Jack?

The Chair:

I never heard that one.

Michelle Madoff:

Well, now you heard it.

Mr. Ferlo:

I just hope Jake and Michelle are right and I'm wrong.

Michelle Madoff:

You are.

The Chair:

Well, this project has to move forward, and I know everyone on Council supports it, and if it wasn't for Council it wouldn't be here today, and we wouldn't be moving forward on it. It's especially important because of the Fort Pitt Bridge Project, the Smithfield Street Bridge shut down and the Tenth Street Bridge work.

Mr. O'Connor:

My only point is as Mr. Ricciardi mentioned, and it is a small amount of money to give \$125,000 to get it started, but in my meetings I was under the impression that the developer is willing to either give that money up front himself or in lieu of taxes.

So, I'd just like --although it's a small start it may go into the \$4 million, and if he's willing to do that I think we ought to work with him, but not hold it up. So I'm willing to pass it now.

The Chair:

I'd like my comments brought forward.

(REMARKS ON FOLLOWING PAGES)

(BEGINNING - MESSRS. COHEN, FERLO, WAGNER AND MICHELLE MADOFF'S
COMMENTS ON BILL NOS. 761 AND 762, WEDNESDAY, MAY 6, 1992)

Mr. Cohen:

These two bills were the result of a post-agenda meeting that we had last week and I believe you sent Fred Reginella to that meeting and this was on the Station Square expansion road, and I think all of us know urgency of this because of the closing of the Smithfield Street Bridge and the need to have an access route into Station Square. Secondly, because of the development potential for the Station Square expansion in terms of retail space and restaurants and housing.

Director, we asked at that post-agenda meeting to front \$120,000.00 to the Pittsburgh History and Landmarks Foundation for the first phase of the design and part of the road. That was what Mr. Ziegler at the meeting said was needed to get us off the dime. Can you explain how that was done?

Dir. Sciulli:

We went back to the line item that has been in the Capital Budget for the \$50,000.00 amount in 1988 and \$50,000.00 in 1990 that identified the Station Square road. We took those two and amended the budget in 1992 to add \$20,000.00 more and so we have a total code account from those three capital projects line items to do the design for Phase One of this road and where the two pieces here are beginning, Number One, we put these items into the appropriate code accounts and Number Two, authorizing the City to enter into an agreement with the URA to undertake the design of this roadway.

Mr. Cohen:

Okay. So it looks to me like you basically fast-tracked \$100,000.00 that was already in the Station Square account. Let's be open about how it was done, plus you added another \$20,000.00 there. I think that from my point of view that's fine so long as they get \$120,000.00, but we have to realize what is being done here and that is that the money was taken away. From my point of view, that might mean putting that money back in down the road. I think our consensus on Council was that we would front this \$120,000.00 for the design phase and that Evan Stoddard will continue to try to do tax increment financing for the rest of that project which is about a \$3.5 million to \$4 million project in getting the School Board and County on board. Obviously, all three have to agree. They would have about a two-month time period to put that together, but if they couldn't they would come back to the table and try to use a more traditional route to help them along.

My view and I know Mr. Wagner had to leave but he told me before he left was to make sure we say how important this project is. It is one of the few development projects actually being done in the city and its potential for jobs and economic development is huge, especially given the investment in the entire Station Square expansion. For us to take this action and people should know despite what the editorialist said yesterday that it's Council that is the moving force here in making this project go and if we vote for this today we will move this project, get it off the dime, get the design phase going so that there isn't any delay and hopefully that intersection will be open in 11 months which is what we're pushing for.

Mr. Ferlo:

Director Downing, please.

First of all, I didn't get elected to represent brain-dead editorialists, most of whom don't even live in the city and always are so opinionated about what goes on in the city. We haven't even yet discussed at the table nor have I ever been forwarded by the Administration any proposals for tax increment financing and when and if we do that, I have a number of serious questions about tax increment financing.

Regardless of Station Square which hopefully we want to be a successful project and I know I will be supportive and I'm sure a majority of Council wants to be supportive of the project, but that doesn't mean I'm not going to insure that a fiduciary role that Council has in sharing that it's a financially viable project because we are talking about using city tax dollars, if something were to fall for taking money out of the General Fund and paying for development projects, so I want that policy in place and a clearer understanding of what safeguards we have when and if we go into a tax increment financing mode --

The Chair:

-- do you have a question of Director Downing?

Mr. Ferlo:

-- my question specifically. As I hear this discussion now, it sort of typifies why we have a problem with development. I respect Director Sciulli here but he's the user department who's the mechanic regarding this road and some of the engineering and construction design questions. What is happening overall with this project and I want to hear from you representing the Administration and the Mayor. Where does this road fit in to the overall project? Where does this \$120,000.00 commitment fit in to this other discussion about the \$4 million and independent of the tax increment financing issue? In other words, is the

Administration on board, are we all on board together for this project that we are doing?

The Chair:

-- Jim, you've asked her three times the same question, let her answer please.

Dir. Downing:

This allocation begins the process of designing the road for the Station Square Project. It begins the far western portion, the access to the far western portion of the site which will be critical once the Smithfield Street Bridge goes down. So what we're doing is allocating funds to allow that part of the entire project to go forward so that there will be some safeguards and an alternative route to get to Station Square during bridge construction.

The details of the financing for the overall road are still being worked out and the URA is taking the lead on those issues. So this starts the project while we finish those other discussions.

Mr. Ferlo:

Assuming Mr. Ziegler's proposal is not smoke and mirrors but that there's actually viable investment there which I assume is the case, why aren't we all on board and why can't we come to a decision clearly about what our agenda is? It seems like we have this piecemeal approach again regarding what if any our role and our relationship is going to be regarding this overall economic development proposal? It seems like it's still piecemeal. It involves Council holding post-agendas or being an advocate. Either this a good project or it's not and if it is, what is the coordinated role that city government is committed to regarding this project? That's what I cannot understand. Because we're having this disagreement now and in a few months now we're to then argue about the \$4 million, then we're going to argue about the road specifications and whether or not, how it's going to be designed and who's going to accept the road when it's completed.

Dir. Downing:

That has been solved.

Mr. Ferlo:

In other words, rather than have these continual debates at different intervals, why can't we agree up front what the City's commitment is going to be and we're all on first base with Council, the Administration, the URA, E & C as the user

department, etc. I still don't get the sense that we actually know what we're doing regarding this project.

Dir. Downing:

We're trying to find a way of publicly financing this project using a new method that hasn't been used in the city before which is the tax increment financing or the possibility. In order to make it work fully, we must get the agreement of the School Board and Allegheny County because it work best if the three taxing bodies are all in agreement with the policy, so that Director Whitmer testified at the post-agenda that he was in the process of securing the commitments from the School Board and the County. Once that's done then there will be agreement on the mechanism and then there will be discussion about the specific projects and he has been discussing as he testified about Station Square for tax increment financing. So what we're doing, we're several months away apparently from having that agreement, so what we're doing is advancing a project by a couple of months before that other agreement is in place but it is a publicly financed mechanism for the road so the commitment is there to look for that public financing.

(AT THIS POINT, I WAS TEMPORARILY RELIEVED BY HELEN KRIEBEL)

(CONTINUED ON NEXT PAGE WITH NO LOSS OF CONTEXT)

MARY ANNE HRUSKA
STENOTYPE REPORTER

(Continued Comments on Bills No. 761, 762 - May 6, 1992)

Mr. Ferlo:

Is this expenditure reimburseable later on under the tax increment financing, or are you making a commitment to allocate these dollars independent, separate and apart of the whole increment financing proposal?

(Deleted text.)

Mr. Ferlo:

That is still unresolved, you say?

Ms. Downing:

Right.

Mr. Ferlo:

That is what I mean by going back to my earlier comments about continuing to have these disagreements at any given interval.

Mr. Sciulli:

I don't think it is a disagreement, Councilman. What we are trying to accomplish here is there is a timetable that has been established by PennDOT for the Smithfield Street Bridge, and the developer and the city, everyone, wants to take advantage of it. Instead of sitting back three or four months and waiting for the county and the other taxing bodies to come to some agreement, we are saying, "Okay. Let's save three or four months' time since we have sort of an end date we are trying to meet."

Mr. Ferlo:

You are missing my point. This is a Council inspired piece of legislation to try to fast track --

Mr. Sciulli:

And the Administration, obviously, because we wouldn't be here. There is a commitment from the Administration. The Administration is committing to the project and trying to do everything they can to make this a real project in the timetable that has been set. It is a priority of the Mayor, and we are trying to push it ahead. There are going to be hurdles, obviously, that need to be overcome, including financing, scheduling, construction.

Mr. Ferlo:

One last question and I will close.

I still have concerns about the whole issue of tax increment financing, they are not necessarily relevant right now to this piece of legislation, but since we are tying this all together, I am for tax increment financing and one thing that has upset me is what I see as a double standard in the Administration regarding developers' development projects. You know, when we had the Down By the Riverside proposal, the Administration fought and you required that developer to fix an impaired intersection at 15th and Smallman, as opposed to offering any assistance. I am all for helping the Ziegler Station Square proposal obviously for its benefits, but I would hope and wish the Administration would get its act together regarding the development of an overall policy so any developer in the city knows they have a friend in city hall and can get assistance when they have a viable project. I don't see that happening. We see different agendas depending on if you are Gumberg, if you seem to be friends of the Mayor, you get one thing, if you are Oxford Development you get a different agenda. You can front for Pitt and take over St. Peters.

The Chair:

You are off the issue.

Mr. Ferlo:

No, it is not, because I want to know later on when it comes to tax increment financing what safeguards are going to be in place. I want an adopted policy, not what is good for one developer depending on who that person is, and another developer depending on what their agenda is. And I want to know what the safeguards are later on. If I am going to give up city revenue tax dollars for the increment proposal, then I want to know what safeguards are in place, what the developer is putting in, what his financial investment statement, his enterprise statement, is and what those commitments are going to be. I hope that is part of the discussion.

Michelle Madoff:

Can I have a turn?

Mr. Ferlo:

It is relevant because depending on who you are in this city, you get a different agenda with city hall. That should stop.

Michelle Madoff:

It is really sad. When I don't know something and miss a meeting, I try to make it my business to go to somebody and ask the question. There was a meeting with Station Square in great detail that covered everything you asked today. There was another meeting I didn't attend because I had been at the first one that addressed the same kind of information.

It seems to me for the first time this Council is saying "Be proactive." We are being proactive, but we are on deadline. We are under the gun because of the bridge coming down. We are trying to get things moving. The Administration is working with Council, and because we are working well together, they are being criticized.

The issue of whether you are going to have increment financing or go to a bond will all fall into place. The important thing is to get the damn thing going. More important than anything else is can anybody question with any sense of -- I can't even find the word for it -- that Station Square hasn't been one of the best things to ever happen to this community? And we are questioning what they are going to do? That brings me to my question.

The question is we are talking about putting up the first dollars, which are the kind of dollars we put into investment in the community. It is a token amount of money to say, "It is public/private partnership," that the people coming in aren't going to be left without city involvement and care, that is all it is. It is like matching funds in QED.

This money is strictly for the turn around, that small segment, to get going. I want to go beyond that and build that road. If you take a road and put it into deprived areas, into the Hill area or another depressed area, you put in sewage, amenities, people will build there. If you put a road in, we are going to get development faster. If there is anything we need in this area, it is jobs. If there is anything we need, is revenues.

The Chair:

What is your question?

Michelle Madoff:

Thank you. The question is can we and how quickly can we also address the issue of putting the road in? That was my question.

The Chair:

Do you know the answer? If not, let's move on.

Michelle Madoff:

Are we looking at that, as well?

Mr. Sciulli:

When you take on the design of a project like this, even though we are only talking about building this portion, conceptually you have to look at the whole thing, because it has to be tied in.

(Deleted text.)

Mr. Cohen:

I will be brief. I think we have a schedule and I think that includes Council and the Administration, I hope it includes the Administration, too, which is we put this 120,000 forward now so we don't have a three or four month delay. At the same time, we will give the URA a fuse of about two months, that is what Evan Stoddard right here where Helen is sitting said that we needed in order to try to pull the taxing bodies together. Hopefully, Council can be very helpful in that. If that doesn't happen, then do we have your agreement that we come back to the table and we work out another way of doing it? Hopefully we can do it through tax increment financing, but if we can't, this project is too important to let drag on.

Do you agree to come back to this table in two months if we don't have tax increment financing?

Ms. Downing:

Well, let's see if we can get tax increment financing. We want to advance in project.

Mr. Cohen:

Let me just say that from my point of view, and I think from others here, that Council I think is going to be on that schedule, and the reason is that the benefits from this investment over there are so great that it makes so sense to delay. I mean, for Phase I at Station Square, which we all know and go to often, there were government funds, not city funds, but total government funds of \$6 million, which gave rise to \$104 million investment. What they are asking for here is 120,000 now and maybe more later up to \$4 million. They already have commitments of \$18 million from foundations and -- and this is not committed yet, it is true, but I think Station Square has had a pretty good track record so far -- an expected private investment of \$130 million. I see this as the stimulus for that to occur. We would be irresponsible if we didn't move fast and make that happen.

So I guess in response to Councilman O'Connor, from my perspective, even if we don't get that money back from Station Square, I still think it is a worthy investment of the \$120,000.00 to stimulate that whole development over there. It may not happen, but I think it is worth a try.

(End of remarks)

(Transcribed by Helen L. Kriebel, Stenotype Reporter)

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

Mr. Milliones moved to cable cast the hearing on the Reapportionment Advisory Committee for Thursday, May 28, 1992 at 7:00 p.m.

Mr. Cohen seconded the motion prevailed.

Michelle Madoff:

Discussion. Isn't this just an information briefing to Council?

The Chair:

No. This is the Reapportionment Advisory Committee having a public hearing on their final plan.

Michelle Madoff:

Doesn't it come up again before Council?

The Chair:

After that is completed, they will formally submit it to Council.

Michelle Madoff:

Unfortunately, I will not be here because I am scheduled to be on vacation, but you have my blessing I'll vote for the cable cast.

The Chair:

Council's not required to be at this.

Michelle Madoff:

That's what I thought.

The Chair:

Yes. We're simply televising the hearing for them.

WHICH MOTION PREVAILED.

Mr. Ferlo:

Mr. Chairman, I introduced legislation that comes up tomorrow regarding the reappropriating, I think its \$100,000 that was freed up if you remember a couple of weeks ago the Administration came and freed up an unencumbered fund balance of \$27,000 left in the Concrete Slab Replacement, and also they freed up \$100,000 in previous CD dollars which they had set aside for the Series Streetlighting along Schenley and Bigelow, which that project has gone by the waste side.

My proposal would take that \$100,00 and commit it to the Concrete Slab Replacement program, as well they would still be able to spend

the \$27,000 that's left.

The reason why I'm doing that and I'm not just speaking selfishly or parochial to Council District 7, but in my neighborhood at least in the Stanton Heights community if anybody drives through there you'll see six to eight inch pot holes in the concrete slabs in various parts of the residential community.

But, I'm sure everyone of us could name - I know when I drive down East North Avenue near Allegheny General Hospital the concrete slabs there are horrendous. The East Liberty area, the business district where the concrete slabs are. I mean we're talking about major pot holes here that ruining cares and everything of the sort.

And I'm sure everyone of us could probably list sections of concrete slab that badly need to be done. It's a good program, its a cost effective program. The previous contractors have done a great job working in that program. I mean the quality of the work, and I would hope that Council would consider it. I'm just raising it now before it hits the table tomorrow for some debate.

Michelle Madoff:

Before it hits the table for debate tomorrow - the Niagara Falls of Pittsburgh as you've heard me refer to the view from Grandview and people come to the overlooks, the road up McArdle is a disgrace. It's still a disgrace and I'm going to start bringing the boulders that come off the pieces of the wall into Council and we'll stack them here until something is done about it. I will start bringing hunks of cement in my trunk and bring it into Council, and get a little wagon, and we're going to bring in here and let it sit here so it will be on view on cable until something happens.

If you want to take some of that money and put it to use - it isn't just one area and its not because I live in that area, its because that is the place that everybody brings their family and friends to when they're in from out of town to look at the City. And its time that that not only the road and the sewer is done, but the wall is corrected, and if it isn't I swear to you.

Mike, would you do me a favor please? I want a letter sent to Alex Sciulli asking him politely, when do they plan to redo the wall? Not just repave the street, the wall, and if they don't will you tell him politely that I will start bringing chunks of that wall into Council, and drop them at his door.

And on the motion of Mr. Milliones

Council adjourned.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXVI

Tuesday, May 19, 1992

No. 20

Municipal Record

ONE-HUNDRED TWENTY-SEVENTH COUNCIL

JACK WAGNER President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER.... Asst. City Clerk

Pittsburgh, PA
Tuesday, May 19, 1992

PRESENT:

MR. COHEN	MR. O'CONNOR
MR. FERLO	MR. ONORATO
MR. MILLIONES	MR. RICCIARDI
	MR. WAGNER
	(Pres't)

ABSENT:

Mr. Darkins
Michelle Madoff

The Meeting was opened by the recitation of the Pledge of Allegiance to the Flag of the United States of America, and a moment of silent prayer for peace throughout the world.

I pledge allegiance to the Flag of the United States of America and to the Republic for

which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Cohen for Mr. Darkins presents

No. 853 WHEREAS, in 1946 the Pittsburgh Bobcats organized a competitive basketball team that traveled throughout Allegheny County claiming victory after victory; and

WHEREAS, the winning Bobcats era spanned for more than twenty years, developing Junior Bobcats and young men to become competitive athletes; and

WHEREAS, in 1972 the Pittsburgh Bobcats resurged and held its First Biennial Reunion bringing together two generations of Bobcats and well wishers; and

WHEREAS, The Bobcat Club, which holds a lifetime membership with the NAACP, has throughout the years provided meals for the elderly, assisted little league teams, supported Pittsburgh Rape Crisis Centers; and

WHEREAS, future endeavors include scholarships to college bound students, and sponsoring youth with membership in the YMCA and other youth-oriented organizations; and

WHEREAS, on Saturday, May 23, 1992

the Pittsburgh Bobcats Athletic Club, Inc. will celebrate its Eleventh Biennial Reunion at the Palace Inn and will honor local citizens for their contributions and dedication to uplift the status of mankind.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh commends the Pittsburgh Bobcats Athletic Club, Inc. for maintaining an organization with substance and a flair for championing the needs of others; and

BE IT FURTHER RESOLVED, that this Council is mindful that William H. Lewis, Jr. has faithfully served as President of the Pittsburgh Bobcats Athletic Club, Inc. for fourteen years and through his leadership the Bobcats are respected as an organization committed to purpose.

Mr. Cohen moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Cohen for Mr. Darkins presents

No. 854 WHEREAS, the East End Block Discovery Club was founded in 1988 to acknowledge and support students who maintain academic excellence and demonstrate the ability to effectively manage in a challenging society; and

WHEREAS, on May 16, 1992 the East End Discovery Block Club will honor Pittsburgh Public School seniors with scholarships and savings bonds to middle and elementary school students for academic and social achievement at their Fourth Annual Scholarship Dinner Dance.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh congratulates the following students

for their noteworthy achievements and extends to them much success in reaching their endeavors: Felicia Pope, a student at Taylor Allderdice High School; Erika Burns, Peabody High School; Celeste Humphries; Yvette Robinson and Gregory Wright of George Westinghouse High School; Michelle Massie and Johann Fulks of Reizenstein Middle School and Lemington Elementary student Damien Cornish; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh recognizes East End Discovery Block Club Founder and President Mrs. Geneva Adams for her commitment to advance opportunities for youth and further commends its Board of Directors and members for supporting the goals of the East End Discovery Block Club.

Mr. Cohen moved to adopt the resolution.

Mr. Onorato seconded the motion.

Which motion prevailed.

Mr. Cohen for Mr. Darkins presents

No. 855 WHEREAS, from May 15-19, 1992 the Greater Pittsburgh Lodge No. 115 Ruth Temple No. 116 will host the 69th Convention of the Pennsylvania State Association, Improved Benevolent Protective Order of Elks of the World; and

WHEREAS, The Improved Benevolent Protective Order of the Elks of the World was founded in Harrisburg, Pennsylvania in June of 1923 and has grown to become one of the largest minority fraternal organizations in the United States, with Pennsylvania membership exceeding three thousand; and

WHEREAS, the Order is dedicated to empower mankind with the knowledge, skills and support needed to enhance their potential for

continuous success; and

WHEREAS, locally, the Program for Female Offenders, Inc., Battered Women, The Make a Wish Foundation and many other individual and charitable organizations have received aid from the Order's Benevolent Fund, and youth needs are met on a daily basis through the Junior Temples, Junior Herd and the Youth Department; and

WHEREAS, the order is the only fraternal organization that staffs a full-time physician and registered nurse during its conventions;

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh welcomes the delegates of the Pennsylvania State Association, Improved Benevolent Protective Order of the Elks of the World, to the City of Pittsburgh and extends to them appreciation for selecting this city as their convention site; and,

BE IT FURTHER RESOLVED, that this Council acknowledge Presidents Fred S. Montgomery and Dorothy J. Lowery for keeping alive the Order's mission in support and respond to the needs of others.

Mr. Cohen moved to adopt the resolution.

Mr. Ricclardi seconded the motion.

Which motion prevailed.

Mr. Connor:

I'd like Phyllis Ash-Hamon to come up. Phyllis is President of the United Steelworkers of America Local No. 3657.

This is quite an honor for me as you may know I was a steelworker for six years, that was

about 22, 23 years ago. I never thought working those midnight shifts and Christmas Eve that I would ever be standing here giving a resolution to the Steelworkers Union, and its quite an honor.

Mr. O'Connor presents

No. 856 WHEREAS, the United Steelworks of America has been a champion of social and economic justice throughout its history, helping to pave the way for equal opportunity and a rising standard of living in the United States and Canada; and,

WHEREAS, the United Steelworkers of America came into existence as the Steelworkers Organizing Committee (SWOC) during the throes of the Great Depression when working people and virtually no voice, no power, and even less hope; and,

WHEREAS, the first agreement negotiated by the SWOC lifted workers from servitude by providing living wages and opening the door to improved working conditions and benefits that today are often taken for granted; and,

WHEREAS, on May 22, 1942, the SWOC became an international union, adopted a constitution and renamed itself the United Steelworkers of America. The Constitution assures that the USW's membership enjoys all of the benefits of trade union representation and democratic participation in its affairs, including, but not limited to, electing their officers, setting goals and approving or rejecting contracts; and

WHEREAS, the United Steelworkers of America and its members have contributed immeasurably to the well-being of the citizens of the United States and Canada and in particular, the citizens of the City of Pittsburgh, the birthplace of the Nation's steel industry.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh congratulates the United Steelworkers of America on the occasion of its 80th anniversary of its First Constitutional Convention and adoption of its Constitution; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby proclaim May 22, 1992, to be "United Steelworkers of America Day" in the City of Pittsburgh in order to salute this great union and to call attention to its many contributions to our City and Nation and, to endorse the benefits that trade unionism brings to our society.

Mr. O'Connor moved to adopt the resolution.

Mr. Milliones seconded the motion.

Which motion prevailed.

Ms. Ash-Hamon:

Thank you to the City Council for celebrating our birthday Friday, May 22nd. We thank you all.

Mr. O'Connor:

I would also like to mention that Phyllis is bringing the national convention to Pittsburgh August 31st through September 4th from all over the country, and I think its a tribute to all of us.

Mr. Onorato:

I'd like to call up the students from Pitt Law School.

Mr. Onorato presents

No. 857 WHEREAS, Marketa Lindt, Saily Joshi, Maureen Sweeney, Scott Jeffries, and David Paul of the University of Pittsburgh

Law School traveled to Miami, Florida to assist Haitian refugees; and

WHEREAS, Marketa Lindt, the President of the Law School's Amnesty Chapter, organized the group which aided the Haitian Refugee Center; and

WHEREAS, Ms. Lindt rallied the legal community into action to support the group's endeavor; and

WHEREAS, the Pitt students, with the help of interpreters, aided refugees in the long and tedious process of filling out the forms necessary to apply for political asylum; and

WHEREAS, thousands of Haitians have fled upheaval in their country and are seeking asylum in the United States, but have trouble proving a plausible claim to political asylum due to their difficulties with the language; and

WHEREAS, the goal of the trip by the law students was to make sure all the refugees received the same due process when applying for political asylum; and

WHEREAS, Sharon Brown, the Administrator of the Haitian Refugee Center, stated that the law students are very dedicated and that their work was very, very, good.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh recognizes Marketa Lindt, Maureen Sweeney, Scott Jeffries, David Paul, and Saily Joshi for their humanitarian effort in aiding the Haitian refugees.

Mr. Onorato moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. Onorato:

I'd just like to make a few comments before I turn it over. It gives me great pleasure to recognize this group because everyone in this room and probably everyone in this country at some time had ancestors that came to this country for political upheaval in other countries, so it gives me great pleasure to see young people addressing the same issue today that we've been addressing for over 200 years, and at this time I'd like anyone here in this group that would like to make a comment to Council to come forward.

Ms. Joshi:

I'd like to thank all the members of the Council for inviting us here. It's quite an honor to be here today. Though our contribution to what we actually did was a very small contribution to the immense task that four attorneys are working on in the Haitian Refugee Center in Miami. It was an amazing experience for us and it really opened our eyes to why we are in law school right now.

In the future what we would like to do is have more students be very active in public interest work during their three years at law school, whether its in Miami or in the Pittsburgh community here, and the school is trying to set up programs. I hope that the Council will continue to support our efforts, and we thank you once again for inviting us.

Mr. Ricciardi presents

No. 858 WHEREAS, the Design Review Committee of the South Side Local Development Company has selected Award of Merit winners from the participants in the Mainstreet Program for 1991; and

WHEREAS, the award winners were selected for facade rehabilitation and sign design

to their places of business; and,

WHEREAS, the awards are presented to the following:

STREETFACE CATEGORY:

Best Restoration: United-American Savings Bank
Best Rehabilitation: Newman Chiropractic
Best Transformation: Birmingham Place
Best Adaptive Reuse: Pittsburgh Action Against Rape
Best Overall: The Charlwood Company

SIGN DESIGN CATEGORY:

Best Designs Overall: The Beehive, Friends of the Library, Gmitter's Funeral Home, The 1889 Cafe, and the United-American Savings Bank.

WHEREAS, a Special Certificate of Award is presented to Thomas Tripoli in recognition of his outstanding participation in the Streetface program.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby congratulate the winner of the 1991 Mainstreet Program Award.

Mr. Ricciardi moved to adopt the resolution.

Mr. Onorato seconded the motion.

Which motion prevailed.

The Chair:

Members of Council, we have one final resolution and I would like to ask three gentlemen to please step forward to receive it: Mr. Tom Deworken, Mr. Kurt Bubb and Mr. Robert Kniss. They are all part of the Alliance of Bikers Aimed Towards Education or commonly known as

A.B.A.T.E. We give an annual resolution to this group do to their safety awareness and many other community involvement activities.

The Chair presents

No. 859 WHEREAS, A.B.A.T.E. of Allegheny County, (The Alliance of Bikers Aimed Towards Education) is a Pittsburgh based nonprofit organization that is dedicated to the freedom and rights of motorcyclists, educating motorcyclists (especially young and inexperienced ones), and also educating the general public to be aware of cyclists on the roads in order to maintain safe riding for all motorcyclists; and,

WHEREAS, A.B.A.T.E. has participated in civic activities such as having runs for M.D.A. (Jerry's Kids), Child Fund, and the Central Blood Bank; and,

WHEREAS, A.B.A.T.E. has supported local charities such as the Buhl Science Center's Christmas Angels Program and has donated time to WQED's regular telethons; and

WHEREAS, A.B.A.T.E. continues to support the Pittsburgh based Rainbow Kitchen in its efforts to help provide food for the less fortunate. A.B.A.T.E. does this through its donations of nonperishable food items during its annual rights rally for motorcyclists held this year during Motorcycle Awareness Month; and,

WHEREAS, by these efforts, A.B.A.T.E. wishes to demonstrate that it is attempting to maintain a "good image" for bikers who have been over-stereotyped as "the bad guy" by Hollywood and the media.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby proclaim the month of June 1992 as Motorcycle Awareness Month in

the City of Pittsburgh.

Mr. Milliones moved to adopt the resolution.

Mr. Ricciardi seconded the motion.

Which motion prevailed.

The Chair:

We're honored to have these gentlemen here to receive this award. I'd like to say in my previous younger years I was a motorcycle rider and owner, and I am very knowledgeable of the importance of motorcycle safety. I was in an accident once on a motorcycle. It can be an extremely dangerous form of travel. Therefore, taking all the appropriate safety precautions is very important, wearing a helmet is very important, using your headlights at all times is very important, but more importantly than all of that is having proper training and education in how to operate a motorcycle.

These gentlemen are very involved in that training and education, and truly that is critical because sometimes people operating vehicles don't see motorcycles on the road, and consequently it's very important to be a defensive driver when operating a motorcycle.

We're honored to have you gentlemen here today, and we're also especially gratified that you're involved in many community activities. Tom, I think you're going to speak for the group.

Mr. Deworken:

Mr. President and Members of City Council, I would like to thank you on behalf of A.B.A.T.E. of Allegheny County. Our members that could make it here today that managed to take some time off from their schedules is Mr. Kurt Bubb and Mr. Robert Kniss. I am Tom

Deworken, and I just wanted to mention something that happened to appear in the resolution the Jack read to us today, and there was the word image, and that word has gone through the resolution since 1988. I happened to read an article in the Keystone Motorcycle Press that talked about the image of bikers, but it said that changing the image of bikers is not exactly what we're after, and after reading the article I had to agree, because what they referred to was perception, and if I could pick someone out of the crowd I would say maybe Gene; now his particular image is the way he dresses, the way he carries himself, the type of clothing he that he wears, and that's the image that he puts forward, and I'm sure he's quite proud of that image and wouldn't want to change it.

However, there may be some people in the public maybe in this room or in this building that might not agree with that image, and they may have a problem with it, and once they get to know Gene Ricciardi then that changes their perception of him, however he maintains his same image. So, I would like to reword that to say that we wish to change the perception of bikers, because I really don't think we wish to change our image.

The last thing I would like to say to you is when you're driving your car whether in City traffic or on the highway you're always aware of other cars on the road, and when you change lanes or prepare to make a turn you generally check your mirrors first looking for other cars. What about motorcycles, do you ever look for them? Do you realize that they share the roads with you? Now that June is Motorcycle Awareness Month in the City of Pittsburgh as declared by City Council, and will be declared by the Allegheny County Commissioners at our request, we ask you to look for motorcycles, make sure you look our lives depend on it. Please lets not meet by accident. Thank you.

Mr. Cohen presented

No. 818 Resolution further amending Res. No. 1061, eff. January 1, 1990, as amended, entitled "Resolution adopting and approving the 1990 Capital Budget and the 1990 CDBG Program; and approving the 1990 through 1995 Capital Improvement Program", by reducing a line item in URA "NBDR Public Space Improvements" from \$250,000 to \$210,000 (NPA) and by creating a new line item in Engineering and Construction "Trash Receptacles Program" (+ \$40,000.00 - NPA funds).

Also,

No. 819 Resolution authorizing the Mayor and the Director of Planning to enter into Agreements with Consultants for the performance of project audits for capital projects funded by the Commonwealth through Strategy 21, at a cost not to exceed \$70,000.00.

Also,

No. 820 Resolution amending Res. No. 272, eff. March 21, 1990, entitled "Authorizing a 1990 Cooperation Agreement with the URA of Pgh. for the NBDR-Public Space Improvements and providing for the payment of the cost thereof", so as to reduce the amount of the Cooperation Agreement from \$250,000.00 to \$210,000.00.

Also,

No. 821 Resolution approving execution of a Contract for Disposition of Land by and between the URA of Pgh. and Homewood-Brushton Revitalization and Development Corporation for the sale of Parcel 2 in the 13th Ward of the City of Pittsburgh in Redevelopment Area No. 34 (COMMERCIAL

CONSTRUCTION).

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Cohen for Mr. Darkins presented

No. 822 Resolution providing for a Contract or Contracts, or the use of existing Contracts for the purchase of litter receptacles, and providing for the payment of the cost thereof.

Also,

No. 823 Resolution providing for a Contract or Contracts, or the use of existing Contracts for the purchase of a litter receptacles, and providing for the payment of the cost thereof.

Also,

No. 824 Resolution authorizing the Director of the Department of Public Works to grant an encroachment permit to John and Karen Tkach for a fence on a portion of the right of way of Leaside Drive in the 31st Ward, 4th Voting District of the City of Pittsburgh.

Also,

No. 825 Resolution further amending Res. No. 481, eff. June 23, 1987, as amended by Res. No. 558, eff. June 5, 1990, entitled "Authorizing the Department of Public Works to sell reclaimed asphalt, presently stored at Heth Run (located at the rear of the Zoo parking lot). Permission is requested to sell the general public by the ton. All monies collected are to be deposited into the Asphalt Reimbursement Trust Fund, Index Code 250100," by increasing the cost of the asphalt.

Also,

No. 826 Resolution changing the name of an Unnamed Alley that intersects Crosby Avenue and runs parallel between Pauline and Palm Beach Avenues in the 19th Ward, 4th Voting District of the City of Pittsburgh.

Which were severally read and referred to the Committee on Public Works.

Mr. Milliones for Michelle Madoff presented

No. 827 Resolution providing for the issuance of a warrant in favor of Public Strategies, Inc., One Bigelow Square, Suite 616, Pittsburgh, PA 15219, in the amount of \$1,000.00 in payment for professional consulting services rendered to Councilwoman Michelle Madoff for the month of May 1992.
—(SPONSORED BY MICHELLE MADOFF)

Which was read and referred to the Committee on Finance.

Mr. Milliones presented

No. 828 Resolution authorizing the incurring of nonelectoral debt for the purpose of providing funds for refunding purposes, by the issuance of general obligation bonds, in the aggregate issuance amount of \$29,500,000.00; accepting a proposal; providing for maturities, and yields, covenanting to pay debt service; pledging full faith, credit and taxing power for the payment of the bonds; appointing a sinking fund depositary; establishing a sinking fund; appropriating the bond proceeds; ratifying prior advertisement and directing further advertisement; authorizing the payment of expenses; ratifying the preliminary official statement; authorizing approval of the final official statement; adopting a form of bond; authorizing escrow agreements and investments; calling bonds for redemption authorizing the purchase of a policy of municipal bond

insurance; and repealing inconsistent resolutions.

Also,

No. 829 An Ordinance amending the Pittsburgh Code of Ordinances, Title Six, Conduct, Article V, Discrimination, Chapter 651-Findings and Policy-by supplementing subsection 651.01 to include familial status, handicap and disability; by supplementing subsection 651.02 to include familial status; and by supplementing subsection 651.04 to include definitions.

Also,

No. 830 An Ordinance amending the Pittsburgh Code of Ordinances, Title Six-Conduct, Article V-Discrimination, Chapter 655-Executive Director, Enforcement Procedure, by amending subsection 655.01(b) to read Executive Director; by supplementing subsection 655.02(c) clarifying time for filing complaint; by expanding subsection 655.04 to add (a) through (f) to clarify the process of complaint review; by amending subsection 655.06(c) and adding (d) through (e) to expand enforcement procedures and damages.

Also,

No. 831 An Ordinance amending the Pittsburgh Code of Ordinances, Title Six-Conduct, Article V-Discrimination, Chapter 653-Human Relations Commission. Section 653, by amending subsection 653.01 to read chair instead of chairman; by supplementing subsection 653.05(a) Powers and Duties to expand the powers of the Commission, and by amending subsections 653.05(b), (f) and (k) to include familial status as a protected class.

Also,

No. 832 An Ordinance amending the Pittsburgh Code of Ordinances, Title Six-Conduct, Article V-Discrimination, Chapter 659 Unlawful Practices be deleting subsection 659.02(k) as a misprint of subsection 653.05(k); by expanding subsection 659.03(a) through (i) to prohibit discrimination on the basis of familial status; by amending subsection 659.03(j) to clarify religious exemption; by adding subsection 659.03(k) generally explaining discrimination on the basis of handicap or disability; and by adding subsection 659.03(1) to generally prohibit coercion or intimidation as an unlawful housing practice.

Which were severally read and referred to the Committee on Finance

Mr. Milliones moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Ricciardi seconded the motion.

Which motion prevailed.

Also,

No. 833 Resolution providing for the issuance of a warrant in the aggregate sum of \$50,000.00 to-wit, \$12,500.00 for each named plaintiff, James R. Ramsey, Francis M. Butler, Wayne K. Joyce, and Kurt J. Fischer, c/o Thomas E. Fitzgerald, Esq., their attorney, Lewis & Stockey, 1040 Fifth Avenue, Pittsburgh, PA 15219 in full and final settlement of alleged libel, slander, defamation and any other related claims.

Also,

No. 834 Resolution providing for the issuance of a \$1,307.40 warrant in favor of Betty Butler in settlement of claim for automobile

damage.

Also,

No. 835 Resolution providing for the issuance of a \$18,225.37 warrant in favor of Edward Shook, Sr. for property damage.

Which were severally read and referred to the Committee on Finance.

Mr. O'Connor presented

No. 836 Resolution authorizing the issuance of a warrant in favor of the Holiday Inn Inner Harbor, 301 West Lombard Street, Baltimore, MD 21201-2596, in an amount not to exceed \$1,092.00, in payment for overnight accommodations for the Senior Center Program in conjunction with an educational tour to Waxter Senior Center, Baltimore, Maryland on October 22-23, 1991 and providing for payment thereof.

Also,

No. 837 Resolution transferring the aggregate amount of \$850,000.00 from various code accounts to Code Account SSFSP, (270256), Special Summer Food Service Program Trust Fund the amount of \$725,000.00 and to Code Account SPP (254359), Special Parks Programs the amount of \$125,000.00 in the Department of Parks and Recreation.

Which were read and referred to the Committee on Finance.

Also,

No. 838 Resolution providing for an Agreement or Agreements with the Pittsburgh Board of Public Education for the purpose of providing meals in connection with the Summer Food Service Program in the Department of Parks and Recreation. The total cost shall not

exceed \$610,000.00 chargeable to and payable from Code Account SSFSP (270256) Special Summer Food Service Program in the Department of Parks and Recreation.

Also,

No. 839 Resolution providing for an Agreement or Agreements with United Way of Allegheny County for the purpose of providing professional services to the City of Pittsburgh. The total cost shall not exceed \$10,000.00, chargeable to and payable from Code Account SPP (254359) Special Parks Programs in the Department of Parks and Recreation.

Also,

No. 840 An Ordinance supplementing the Pittsburgh Code, Title Four, "Public Places and Property", Article XI, "Parks", Chapter 473, "Use Regulations", by adding Section 473.08, "Prohibition of Glass in Parks; Penalties; Enforcement; Signs; Definition."

Which were severally read and referred to the Committee on Parks and Recreation.

Mr. Onorato presented

No. 841 Resolution authorizing the City of Pittsburgh to enter into an Agreement or Agreements with Dr. Rolf Loeber of Western Psychiatric Institute and Clinic for information relative to Juvenile arrest records of individuals arrested and prosecuted by the City of Pittsburgh Police and providing for deposit of any payments for services rendered into the CCIISP Trust Fund.

Which was read and referred to the Committee on Public Safety.

Mr. Ricciardi presented

No. 842 Resolution adopting Official

Sewage Facilities Plan for Naomi's Garden Plan of Property, located at the intersection of Johnston Avenue and Broadview Drive, in the 15th Ward of the City of Pittsburgh.

Which was read and referred to the Committee on Engineering and Construction.

Mr. Ricciardi moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Also,

No. 843 Resolution providing for the issuance of a warrant in favor of Penn Record Systems, Inc. in the amount of \$999.98 for labeling services for mechanical file system in the Department of Engineering and Construction.

Also,

No. 844 Resolution providing for the issuance of a warrant in favor of Howard Hanna in the amount of \$1,200.00 for the appraisal of property located at 1811 Brownsville Road, 29th Ward, City of Pittsburgh.

Which were read and referred to the Committee on Finance.

Also,

No. 845 Resolution providing for an Easement Agreement or Agreements with St. Margaret Memorial Hospital in connection with constructing and maintain a fence on property owned by St. Margaret Memorial Hospital in the 12th Ward of the City of Pittsburgh.

Also,

No. 846 Resolution providing for an Agreement or Agreements, or use of existing Agreements, and/or Contract or Contracts, or use of existing Contracts, for the Design and Construction of Various Walls, including but not limited to Andover Street and Ledgesdale Street.

Which were read and referred to the Committee on Engineering and Construction.

The Chair presented

No. 847 Resolution providing for the issuance of a warrant in favor of James E. Rooney, 940 North Lincoln Avenue, Pittsburgh, PA 15233, in the amount of \$640.00 in payment for professional consulting services rendered to Councilman Jack Wagner, chargeable to and payable from Code Account 1001-2, Salaries, Wages and Services of Council, As Needed, (Index Code 100123), City Council, District #4.
---(SPONSORED BY MR. WAGNER)

Which was read and referred to the Committee on Finance.

Mr. Millones moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Darkins seconded the motion.

Which motion prevailed.

UNFINISHED BUSINESS

Mr. Ricciardi:

Thank you, Mr. President. Mr. Wagner

recalling several weeks ago this Council passed legislation, I believe strengthening the City Ethics Code in terms of financial disclosure for consultants and contractors. After the passage of that legislation several colleagues, Mr. Onorato, Mr. Cohen, Mr. O'Connor and myself had an opportunity to meet with officials from the Mayor's office. I believe Mayor Masloff believes in the reasoning and the underlining effect of the bill.

However, we had some questions on the language. New legislation will be presented, legislation which was drafted with the Law Department and myself. I would respectfully ask that we do not attempt to override Mayor Masloff's veto since that was part of the agreement.

The Chair:

Just for the record we're talking about Bill 716 and 717.

Mr. Ricciardi:

That's correct Mr. Wagner.

The Chair:

Thank you. So, simply not acting on the veto means that the bills are defeated.

Mr. Ricciardi:

Thank you.

REPORTS OF COMMITTEES

Mr. Milliones presented

Bill No. 848

Report of the Committee on Finance for May 13, 1992 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 751

A Resolution entitled, "Resolution transferring the amount of \$51.59 from Code account 1001-2 (100123), District 8, Salaries and Wages, as Needed, to Code Account 1001-1 (100115), Miscellaneous Services, Supplies, Equipment, etc., City Council."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen
Mr. Ferlo
Mr. Milliones

Mr. O'Connor
Mr. Onorato
Mr. Ricciardi
Mr. Wagner
(Pres't)

AYES 7

NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 758

A Resolution entitled, "Resolution providing for the issuance of a warrant in the sum of \$9,000.00 in Regina Raynor c/o Raymond N. Sanchas, Esq., her attorney, Maurizi & Cutruzzola, 3300 Grant Building, Pittsburgh, PA 15219 in full and final settlement of an alleged trip and fall on a sidewalk on a bridge over the Crosstown Boulevard on Centre Avenue in the City of Pittsburgh on or about March 28, 1988."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Ferlo	Mr. Onorato
Mr. Milliones	Mr. Ricciardi
	Mr. Wagner
	(Pres't)

AYES 7 NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 759

A Resolution entitled, "Resolution providing for a contract or contracts or use of existing contracts for the furnishing, delivery and installation of new forms handling equipment, automatic folder and heat sealing equipment in connection with

the processing of employee payroll checks, W-2 forms and Accounts Receivable tax statements for the Department of Finance, and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Ferlo	Mr. Onorato
Mr. Milliones	Mr. Ricciardi
	Mr. Wagner
	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 760

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Public Strategies, Inc. One Bigelow Square, Suite 616, Pittsburgh, PA 15219, in the amount of \$1,600.00 in payment for professional consulting services rendered to Councilman Eugene Ricciardi for the month of April, 1992."
—(SPONSORED BY MR. RICCIARDI)

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Ferlo	Mr. Onorato
Mr. Milliones	Mr. Ricciardi
	Mr. Wagner
	(Pres't)

AYES 7 NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 793

A Resolution entitled, "Resolution providing for an agreement or agreements with various agencies for job development and employment services in connection with the Neighborhood Employment Program and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 794

A Resolution entitled, "Resolution providing for an agreement or agreements with various agencies for job development and employment services and/or on-the-job training in connection

with the Pittsburgh Partnership Employment Program and providing for the payment thereof."

Which was read.

Also,

Bill No. 795

A Resolution entitled, "Resolution providing the authorization to make all legitimate administrative expenditures necessary to implement the Pittsburgh Partnership Employment Program; providing for the periodic transfer of funds to reimburse for program administrative costs incurred, and providing for the periodic transfer of funds to be used for wages and fringe benefits for participants of the Pittsburgh Partnership Employment Program."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Ferlo	Mr. Onorato
Mr. Millione	Mr. Ricciardi
	Mr. Wagner
	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 796

A Resolution entitled, "Resolution Providing for an agreement or agreements with the consultant or consultants for professional services in connection with the research, evaluation, validation, development and administration of Civil Service examinations; and providing for payment of the cost thereof."

Which was read.

Mr. Ferlo moved to recommit Bill 796.

Mr. Ricciardi seconded the motion.

Mr. Ferlo:

Mr. President, I really believe that Bill 796 should be recommitted. This is the \$80,000 proposed expenditure by the Administration for the purposes of hiring a consultant to review and to change and to modify and to come up with a new hiring system as relates to police specifically.

As you remember we talked at length at the table about the problems with the psychological testing, the proposed oral exam, and I think the consultant would work on the methodology and all the particulars regarding the oral exam.

The problem I'm having, and if I have to vote on this today, unfortunately I'm going to abstain, because I think there needs to be more discussion. We asked as a follow up to debate on this bill where most Council members were focusing in on the whole issue of what will be the police staffing levels as early as this summer.

The Administration's proposing to put on one class of 40 recruits from a list that has been

outstanding of about 2,000 applicants. The Mayor's letter, however today is a good letter, but it continues to raise a whole number of other issues that I think should be resolved contingent upon approval of this consultant.

There's some discrepancy about exactly how many number of officers are actually eligible for the early retirement program. The Mayor's letter today suggests its 250 we've heard upwards of 500 officers. I'd like to get a clarification on that.

There's a line in here in the Mayor's letter to Council today which is new information to me that I did not know, and I would like to verify it. The line about that when one officer retires only one new officer will be ready to come on to the force. A one for one replacement. I would like to have clarification on that.

It is true that 24 officers from dispatch will be transferred to the various zones and to other parts of the police force as a result of the collective bargaining agreement. But, the Mayor contends in her letter that the required staffing level, the manning level at each one of the zones is not going to be affected that there are mandatory levels.

I think part of the problem is those levels are already understaffed, and I do have a question regarding the legislation that the Mayor's proposing to submit responding to our concern about hiring from the Housing Authority Police or the Port Authority Police, and some of the other forces, and my question has to do with the existing collective bargaining agreement.

Again, I'm expressing reservations and further need for debate and discussion, and if I have to vote on this today I'm going to abstain. If people vote the way they did Wednesday. I don't know that this bill has the necessary votes to pass today. That's my reservation.

Mr. Onorato:

Mr. President, if I vote on this today I'm going to vote no and vote it down. I looked at the letter from the Mayor, I think its a very good letter. I think that they have a very hard decision to make here. And, the decision is the make up of the force of the new officers we're bringing on. This is a very large class. A class that will probably affect this City for the next 20 years.

And, there's been a lot of discussion over the last week of an all white male class coming on, or should a class reflect the racial make up, and the gender make up of the City.

I personally believe that the Administration can address these issues with the people we have in-house. That the Law Department and Personnel & Civil Service can look at what's going on in other cities, can address the racial make up of the City and move forward with the class.

I think that if they address the 25 to 26 percent minority make up of the City in the classes or new officers coming on be it through veteran officers or through the classes and the testing that we could go into any court with a strong argument. I don't think we have to spend \$80,000 to come up a system. I think we can develop our own system as long we're sensitive to these needs. I don't think the \$80,000 should be spent, and so I would vote it down.

The Chair:

Roll call vote on recommitment.

The Chair:

Is there any discussion on the motion?

And on the question, "Shall the motion

pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Ferlo
Mr. Ricciardi

Mr. Wagner
(Pres't)

AYES 3

NOES 4

VOTING NO:

Mr. Cohen
Mr. Milliones

Mr. O'Connor
Mr. Onorato

And a majority of the votes of Council not being in the affirmative, the motion was defeated.

The Chair:

Any discussion on the bill or any other bill?

I would just like to state in regard to this bill, I will vote in the affirmative but I think its very, very important that Council be informed on a monthly basis on what the Administration is doing in police hiring. There is nothing more important in public safety now then us having a sufficient number of quality people working within the Police Department with the anticipated retirement coming on.

I know the Mayor in her letter indicates that they are completely comfortable with the present staffing levels. Well, I am not completely comfortable with the present staffing levels. I don't know about all you members of Council but the two zones that cover my district are understaffed, and there is no complaint that comes to me more often when I go to community meetings than the complaint that they don't see police officers on the streets frequently enough.

So, I am very uncomfortable that the Administration would make the statement that they are properly staffed with sufficient numbers of police officers. The one item of the letter that I am complimentary to the Administration and I am pleased that they have agreed is the hiring of veteran police officers. It's something I know I've been suggesting and I know all of you have been discussing and mentioning in the past.

It's embarrassing that we lose quality police officers from this City working for the Housing Authority, working for the Port Authority, working for the School District, working for private security companies, and people that work in other municipalities that live in the City of Pittsburgh. People that want to work for the Police Bureau but because of the procedure of hiring, and in particular the psychological procedures for hiring have not even been able to get on the list to qualify because there hasn't been a list that they can even apply for.

In other words experience doesn't seem to be important in hiring police officers, and that's absolutely ridiculous and contrary to good hiring practices.

So, I am pleased that the Administration is agreeing to do that based on Council's request, but at the same time I'm going to formally through the City Clerk ask the Administration that on a monthly basis that this Council have an update on the proposed hiring of police officers under the new procedure of hiring veteran police officers or under the reorganization of the existing list. That's something that all of us have to know precisely what's going on.

Mr. O'Connor:

I agree with what you said Jack, and I'm going to vote for this bill. And I'm afraid if we

don't pass it now Councilman Ferlo -- I think you bring up some good points Jim, but I'm afraid if we don't pass it now it will just give the Administration a reason or excuse not to hire more. I think the sooner we -- nobody likes to spend \$80,000 for consultants, but I think the sooner we take all the crutches away that possibly they can end -- this should help us in court. It's going to be a tough decision how to hire and how to be fair to everybody which we all want to do. And I think this will give them a good criteria and get the system moving.

Mr. Onorato:

Final comments on the bill. Jack, you brought up some good points. I think if you look at her letter where she talks about the possibility of hiring veteran officers, a with the combination of the list that we can address the racial make up that we talked about earlier.

I guess I disagree with my colleague Mr. O'Connor. I don't think the outside consultant will do much in court. I think that if you'd make a good faith effort, you'd address these issues and come up with a long term plan that you can argue that in court anywhere.

As I stated last week no matter what plan we pick we can brace for a lawsuit. I say there's a 90 percent chance that its coming, because someone has to be at the bottom of that list that's going to be cut off at some point, and that person is going to have a complaint one way or the other.

So, I think that they can address it in-house. We can move forward and handle it from that point on without spending the \$80,000 on a consultant.

Mr. Cohen:

Thank you, Mr. President. This is a very important issue, probably the most important

when it comes to public safety, and I'm going to be voting for the bill today. With all do respect to my colleague its been 14 months since Judge Cohill's order came down terminating Judge Weber's affirmative action order of 1975. That's a long time and I'm going to be voting for this today to keep the process moving, and to make sure that we do get an adequate police force and one that's representative of the City's population.

I don't hear any other proposals today as to how we go about doing that, and I'm afraid if we vote this bill down its just going to delay the process even further. I think this does require some expertise. I agree with Councilman Onorato that we'll probably be sued either way, but nevertheless we need to keep this process moving. Its already taken too long. To vote this down or delay it, I think would be a mistake.

Mr. Ferlo:

I'm not necessarily opposed to spending money for the consultant to assist the Administration in defining this new hiring procedure. I think they probably need the professional expertise that has been suggested by Director Smith.

So, in principle I'm not initially opposed to the expenditure. Its just a question of when we do it. I still think there are too many unresolved issues right now about when and how many officers will be hired. I am not satisfied with the notion that we will be only be putting on one class of 40 officers, and until we resolve those issues -- I'm not talking about holding this up for weeks, I'm asking for a recommitment to fully understand the intent of the Mayor's letter, and to better advocate the need for a larger number of recruits to be hired in the August class more so than the 40.

And until those issue are unresolved I do not feel comfortable in voting for the legislation

because this is the only window of opportunity we have. Its very much parallel to whole debate on the fire reorganization. When and if an issue for legislation does come before Council its the only vehicle we have to really make our views now and express ourselves.

In this sense I still think the issues unresolved. You mentioned your zone level. Zone 5 has the largest number of police incidents. It's been quite clear even before the early retirement program that that zone has been understaffed. Its too large a zone. There is still a need for foot patrol in high crime areas in that zone, etcetera, etcetera.

This is the only opportunity we have to really nail the Administration down clearly on the number of officers that they intend to hire in terms of putting them on in the up coming police class, and to me the 40 is not satisfactory.

Mr. Onorato:

I just want to clarify a point here. I do agree with Councilman Cohen, but I don't want this process to slow down at all, and when I say I'm going to vote against the \$80,000 I view it at though we will move ahead immediately. I don't want this to be perceived that if we vote this down that anyone can say well we have to start all over again because we don't have a consultant.

I'm under the impression that we can move ahead without a consultant that this would not slow it down. And as to bringing in an expert, I think it was Judge Weber in the mid '70's, his system was lets just get the racial balance and the gender balance, hire one, one, one and one.

I don't think there as any expertise into what he decided. Now, it was 15, 16 I'm not sure how many years later that Judge Cohill said, it doesn't work any more or the City is no longer discriminating. I think the point they were

looking at was the racial make up, and that was the main point. There was so science involved here. It was looking at what's right. You have 25, 26 percent of your population is minority and you have a force that's 100 percent white male, there's a problem and they addressed the problem.

I'm saying we can address the problem without a consultant immediately and start moving forward. I do not want to be accused of slowing this down for voting against it, because I personally believe we can move tomorrow or the next day ahead with a plan.

So, I don't want Council to be accused of slowing the process down with or without the consultant.

Mr. Milliones:

I'm going to vote for the legislation, but my assumption is that voting for this legislation does not mean that people hired how ever many will be an all white male force. I'm assuming that the Administration has enough sense not to do that, and to stay within something that's reasonable relative to the 24 percent or whatever.

I would suggest however that that's not very easy to do in terms of the lawsuits and alike that are hanging over the City's head.

I'm going to support the legislation, but I would certainly support as well that there be effort made to keep the racial balance within normal limits of the City.

Mr. Ricciardi:

Thank you, Mr. Wagner. Last week I diligently listened to the discussion with the Administration over this bill. I have several concerns Mr. Wagner and I think you raised one of the concerns is the Zone 3 staffing, and some other policies such as Park and Walk, and

community policing, but just on this legislation I believe that in voting for this legislation if I would vote on it it would really slow the process of hiring new police officers.

As I said to Director Melanie Smith, I think we have the expertise on staff, and again I think we're making this more complicated than it should be. I think the longer we get involved with a consultant with taxpayers money the more complicated the issue is going to become, and I just believe that we're willing to move ahead.

So, I'm going to be voting no. I really wish we would have recommitted this bill so we could have more discussion tomorrow. I did not want to vote against it, but since we did not recommit I would be voting no it.

The Chair:

I just want to make one final comment. I think the commitment made by the Administration to hire veteran police officers is a significant commitment. I don't want to see them drop the ball on it. They in this letter have said that they are coming forth to Council with legislation to initiate that process in the immediate future. What that tells me is what Melanie Smith said at the table last week about the legality of doing that, that it is okay to do that.

Consequently, a legal opinion has been granted by the Solicitor that we can hire veteran police officers. Something that I have assumed we could do all along. With that I firmly believe that we can hire minorities, we can hire women, and we can be selective in the process and hire quality people. And that really is the intent here, because when I get the complaints that police officers are having trouble filling out forms it concerns me, and I've said that all along.

I really think the problem is precisely our not having an aggressive hiring practice within

Personnel. There are people out there that are well qualified. We have qualified minorities in both genders to be hired as police officers. It should be the goal and the commitment of the Personnel Department to aggressively pursue those people. I'm not satisfied that we've been doing that.

Again, I will ask through the City Clerk that we ask the Administration for monthly updates to make sure that this police bureau does not become understaffed in the months ahead.

Roll call vote.

Mr. Cohen:

I'd like my comments brought forward on Bill 796 please.

Mr. Onorato:

I'd like my comments brought forward on Bill 796.

(REMARKS ON FOLLOWING PAGES)

(BEGINNING - MESSRS. COHEN AND ONORATO'S COMMENTS ON BILL NO. 796, WEDNESDAY, MAY 13, 1992)

Mr. Cohen:

I want to follow-up on one aspect of this and that is the urgency and when -- if we approve this today, when will the consultant have a report prepared so that we can move towards hiring new policemen? When will that happen?

Ms. Smith:

As soon as possible but I can't give you a date specifically at this time.

Mr. Cohen:

I need some time frame here. The more I think about this issue, the more I think of the powers that be and dragging their feet.

The order of Judge Cohill was March 20, 1991. It is now May 13, 1992 so there has been a 14-month span and only now are you coming to us, we had to waive Rule 8 on this bill. Only now are you coming to say that we should hire a consultant to prepare the response. There has been footdragging on this issue and we need to know before we approve this today what is the time frame and when will it happen because we have an exodus from the police force.

Ms. Smith:

I understand that. When I talked with the consultant I have told them these are things that were needed yesterday. They are very sensitive to the time frame and they are prepared to work absolutely as quickly as they can.

Mr. Cohen:

Give me a period of time that you expect this consultant to be completed with this project?

Ms. Smith:

I would hope that the suitability assessment is done immediately and I would hope within a few weeks. That's the first thing that really needs to be done and to be looked at because that could be implemented with the existing eligibility list.

Mr. Cohen:

And then from that point how long will it take to implement that plan to actually begin the process of hiring new police?

Ms. Smith:

Immediately.

Mr. Cohen:

Immediately doesn't really mean that. How many weeks after that?

Ms. Smith:

The kinds of things that candidates need to go through are the polygraph exam which is done before the Commission can certify a list of eligible names to the hiring authority. Because of ADA, we need the consultants to assist us in determining if the suitability assessment is a medical exam or not. If it is a medical exam, it cannot be administered until after a conditional offer of employment.

Mr. Cohen:

How much time, if you can. I realize this is an educated guess but how much time?

Ms. Smith:

What the Commission has been asked to do is put a class in the academy in August. We see that as our deadline and everything we can and need to do before that time has to be done before that time and that's why we're here today quickly.

Mr. Cohen:

I will end with this. I think the program needs a kick in the pants because it really has been 14 long months since that order came down and I realize you have been working on it but for some reason it hasn't happened quickly enough so please move quickly.

Mr. Onorato:

I think President Wagner is absolutely correct when we talk about the veteran officers. You just stated that your deadline is to have a class on by August of 1992; that's what we're shooting for. And if President Wagner is correct, at least six months that will take us to February of 1993 that they'll be ready to come out of the academy. Does it take six months for

training? So we're looking at February of 1993 as an optimistic date to put new officers on the street? Is that correct? That's ridiculous. So I think the answer is, the veteran officer that President Wagner brought up which I will say one final time is we know we're going to be sued, let's do what's best for the city and get the officer here and we'll fight the lawsuit when that happens. Let's do what we think is right and do it fast.

(END OF COMMENTS)

PREPARED BY: MARY ANNE HRUSKA
STENOTYPE REPORTER

(MESSRS. COHEN & ONORATO'S COMMENTS ON BILL NO. 796) —
(Wednesday, May 13, 1992)

Mr. Onorato:

Director, since I have been here on Council, I personally feel we spend too much money on consulting fees. You and I talked about what this 80,000 will be spent for. I realize there are times that there are needs for consulting fees. I am still not sure that this 80,000 is necessary.

The first question I have for you, what is the make-up of the Police Hiring Committee? You received a report from the Police Hiring Committee that recommended this 80,000 consultant study.

Ms. Smith:

The chair was Mary Conturo, the City Solicitor, I was a member, Glenn Cannon, Laverne Wheeler, who was then the Executive Director for the City's Human Relations Commission, and William Colbert, a representative from the minority community.

Mr. Onorato:

I do agree with Councilman Ferlo that it is a shame that Council doesn't have a representative on that committee, because I think it would make it a lot easier when you have to come to this table and explain to the nine members here why you need 80,000, as opposed to getting a call two or three days ago telling me we need 80,000 for a study and for us to try to understand why. The problem I have is, why can't we do this in-house?

Ms. Smith:

It goes back to the introductory comment Mr. Gabriel made. The Civil Rights Act and now the Civil Rights Restoration Act, under those acts the federal government has issued a document that is called "The Uniform Employee Selection Guidelines," and those are regulations of the federal government that really tell all employers, private and public sector, how to legally select and hire people and promote them, for that matter.

The requirement to have professional test consulting services is critical. In order to have any part of the selection process properly developed, documented, if you are sued, to be able to defend it, you need the advice and help of those experts.

Mr. Onorato:

I get the impression that it is necessary and you feel more

comfortable or the Administration feels comfortable with the consulting agreement. Is it because of the possibility of future lawsuits and the way we decide to hire? You can say, "We had an independent source come in here and tell us this is the way we should do it"?

Ms. Smith:

I will say that is a consideration down the line. The first thing is to do the process right, to be sure that it is fair, that it is valid.

Mr. Onorato:

My feeling is you are going to be sued regardless of what we do, I think that is going to be the bottom line. Somebody is going to be mad at this process. So that is why I am wondering how important this 80,000 consulting is. Is it really going to help us, except that you have something to walk into court with, as opposed to saying we had our own independent in-house committee develop a process?

Ms. Smith:

That's right. We really do need the expertise of people who specialize in this area. It is a field of psychological, the consultants are PhD's, and that is what is required to do the whole process correctly.

Mr. Onorato:

The only other comment I would have, I am still not sure we should be paying 80,000 for this service. Do we ever try deal with universities in the city here on issues like this? I am sure they have a lot of brain power for them to do a study.

Ms. Smith:

Actually, they have been very helpful to us on an unpaid basis. We do call them for advice and expertise on particularly statistical matters, reading the test data, until we had some of our own optic scan machinery, they scored answer sheets for us, helped us interpret results, and that is all in addition to the consultant we would have had on contract at the time.

But in terms of doing long-term things with I would say significant impact, because it is really the design and development and implementation of the selection process and them being prepared to defend it in court, we have not asked nor do I expect they would provide that service free.

(Deleted text.)

Mr. Cohen:

A number of other Council members asked a lot of the other questions I had to ask, so I will be brief.

The bill before us, 80,000 for consultants, and I am still not precisely clear as to what this consultant is doing. So far, at least I have learned from the table and your memo that we got this morning, that the consultant will critique the current written exam to try to make sure that it is not culturally biased; is that right?

Ms. Smith:

Yes.

Mr. Cohen:

Is that what you mean in the February 3rd memo about re-validating and analyzing the entry examination?

Ms. Smith:

That is a different issue that would also be done under this resolution.

Mr. Cohen:

Explain if you could what re-validation is, and we will go through a couple other things the consultants are going to be doing.

Ms. Smith:

The written entry examination has been validated periodically along the course of its use through history. It had not been re-validated since I believe it was about 1988.

Mr. Cohen:

Validation means bring it up to current police standards?

Ms. Smith:

No. Validation is really to measure is the test doing what you want it to do, and is it reliably predictive people will complete the academy and make good officers.

Mr. Cohen:

Is it correct to say that it tries to get test results as closely related as possible to job performance?

Ms. Smith:

Yes, that is a fair way to say it. Reviewing the examination to actually look at the items to see if they contain a cultural bias, are they written in a manner that has a cultural bias or an adverse impact that can be reduced without taking away the quality of the examination to be predictive, is a secondary review.

Mr. Cohen:

Okay. The other aspects that the consultant will do is look at the psychological exam and make sure it is more of a suitability exam; is that right?

Ms. Smith:

That's correct.

Mr. Cohen:

Suitability to carry a weapon, and the other things police have to do.

The third is the oral exam portion of it, and that is the portion you highlight in your memo, Director Smith.

Is my understanding that you want to add the oral examination as part of the affirmative action plan because you feel an oral examination could be less culturally biased than a written exam?

Ms. Smith:

They are less likely to have an adverse impact on women and minorities and still assess competence for the job.

Mr. Cohen:

They are less likely or more likely, obviously, depending on what the oral exam is.

Ms. Smith:

That's right. It has to be properly developed and administered. Then it needs to be validated and reviewed.

Mr. Cohen:

So this consultant will prepare actually the questions for an oral exam, that from this person's experience, hopefully, will be less culturally biased than the written exam, that is at least the idea?

Ms. Smith:

Yes.

Mr. Cohen:

What else is the consultant doing other than the three or four things we mentioned?

Ms. Smith:

The other thing is to assist in the development of the physical standards for the job of police officer in the City of Pittsburgh, and the interest in doing that is to be able to then have a way to measure applicants for their ability to meet those standards. Until the standards are developed for the Bureau of Police, there is no way the Commission can presume to know what they are for entry testing purposes.

Mr. Cohen:

Okay. Physical standards are of the individuals themselves?

Ms. Smith:

Yes. Well, the job, it is what does the job require in the physical sense.

The other part of our process that we already have is more the mental part of the police job rather than the physical part of the police job.

Mr. Cohen:

The report that you provide us with also says that you propose to discontinue continuous recruitment. Explain that for a moment, explain how that has been done.

Ms. Smith:

In 1988 I believe it was, we had had difficulty prior to that time when one or more of the four lists would be fairly much exhausted and there would be a need to hire. The Commission's practice up until that point had been to do one recruitment, create the list and do all the hiring from that list, and that time limit expired, then do the recruitment all over again. Continuous recruitment was begun so that we could continually take applications, maybe do that over a six month period, save them up, give a test and add those individuals to the existing list so that new people were constantly coming on the list.

Mr. Cohen:

It would save you time of having to recruit new individuals at the time that you are getting ready to hire?

Ms. Smith:

That's right.

Mr. Cohen:

That has been discontinued?

Ms. Smith:

Yes.

Mr. Cohen:

The termination of Judge Webber's injunction I think was in March of 1991. What I want to have a sense of is the time frame for implementing these. If we vote to approve this consultant today and the consultant is hired, how long will it take before we actually have a solid plan to respond to the termination of Judge Webber's order plus the Civil Rights Restoration Act and Americans With Disabilities Act?

Ms. Smith:

We hope to be able to respond very, very quickly, particularly in the area of suitability assessment, we would like to be able to use that immediately for hiring. The consultant is aware of that and is prepared to work very quickly with us on that.

Mr. Cohen:

What time frame do you have for the consultant?

Ms. Smith:

I have not been able to give that firm a definite answer until we have been through Council, but we have sent the material, they are ready to start spending time reviewing it. I can only tell you as soon as possible and quickly as possible.

Mr. Cohen:

There is an obvious urgency here and that is not only on the issues relating to minority hiring, but also in the fact that we need more police and the serious problem of losing a great many police through the retirement program. So if we do

approve this today, I really want to have a sense how quickly this consultant can move so we can get more police into the force.

(Deleted text.)

Mr. Cohen:

If I made the second, I am not withdrawing my second. I think it would be a real mistake to delay this a week.

(Deleted text.)

Mr. Cohen:

I agree. Our main point here is that we need to move quickly. I think for this Council to delay week would be a mistake. Let's vote today and we can have a post agenda on Tuesday based on the written report that we get from the Administration. I am sure the Council President can make that happen.

(End of remarks)

(Transcribed by Helen L. Kriebel)

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Millions	Mr. Wagner
	(Pres't)

AYES 4 NOES 2

VOTING NO:

Mr. Onorato
Mr. Ricciardi

(MR. FERLO ABSTAINING)

And there not being a sufficient number of majority votes of Council being in the affirmative, the bill was tabled.

Mr. Ferlo:

Point of procedure, Mr. President. Procedurally, I believe that we can bring a tabled bill up on a Wednesday's session. If we can't do that we're going to be back right in the same place. I would urge that we consider recommitting the bill if its possible so we can at least have more debate and discussion at the table; clarify some of the issues that have been raised today, and have another final vote.

If it only comes back to the Tuesday's session on an untabling there's not going to be any dialogue with the Administration. We're not going to be any further ahead. And I stated earlier

I'm not necessarily opposed to the Administration hiring the consultant if they feel they need that technical expertise. But, I would just like some of these issues including many of the issues that you have raised, that Mr. Onorato has raised and others have raised so --

The Chair:

-- Procedurally, I believe your point is right. Correct, Mr. Perry?

Mr. Perry:

This bill can come up at the end of this meeting or next Tuesday, not Wednesday.

Mr. Millions:

Point of clarification. Is it the case that we need five votes and not a majority?

Mr. Perry:

Yes.

Mr. Cohen:

This is actually the first time I think that I can remember this arising. If there's an affirmative vote for a bill, but it doesn't reach five votes then it automatically becomes tabled.

The Chair:

Tabled. It's not defeated. It does not have five votes against it.

Mr. Ferlo:

That wasn't my procedural question. My procedural questions is that under Roberts Rule of Orders, one could bring up a tabled bill at any point including the Wednesday Committee session.

Mr. Perry:

I think this case is different being that the bill was tabled, that it did receive a majority of votes of Council present, but not a majority of votes of Council elected. It's automatically tabled.

Mr. Ferlo:

Then I would suggest Mr. President, if you would consider this appropriate that you schedule some type of post agenda session where we can further debate some of these issues with Director Smith and Director —

Mr. Milliones:

-- Mr. Ferlo your motion died. You had a motion to reconsider the bill and it died. It was defeated.

The Chair:

Well, the bill will back up next Tuesday if Council chooses to untable the bill. Unless there is a motion put on the floor for reconsideration of recommittal it will not appear on the agenda tomorrow.

Mr. Cohen for Mr. Darkins presented

Bill No. 849

Report of the Committee on Public Works for May 13, 1992 transmitting one resolution to Council.

Which was read, received and filed.

Also, with a **NEGATIVE** recommendation,

Bill No. 732

A Resolution entitled, "Resolution authorizing the Director of the Department of Public Works to grant an encroachment permit to Bell of Pennsylvania for the installation of a telephone cabinet and two bollards in the right of way of Kentucky Avenue in the 7th Ward, 8th Voting District of the City of Pittsburgh."

Which was read.

Mr. Cohen:

Very briefly Mr. President, I just to remind Council members that this had a negative recommendation. I appreciate the support of Council on this. Basically, by voting no on this we will be sending a message that no company can put something on our streets or right-of-ways without getting permission first, and I think that's a message we need to send.

The Chair:

A vote aye would be in support of the bill.
A vote no would be against the bill.

Mr. Ricciardi:

I commend Mr. Cohen's effort in denying this encroachment for the reason that he just stated, but for another reason also that we have to realize encroachments are not 100 percent guaranteed, and this Pittsburgh City Council doesn't always have to give encroachments. We should really look at why we're giving the encroachments in terms of the public good.

But, I commend Mr. Cohen for going out into the neighborhood and discovering some of the true facts. Facts that were not presented to us at this table.

Mr. Ferlo:

I'd like my comments brought forward on Bill 732.

Bell Telephone better change its act. The tone of the letter that they sent to the adjoining property owners was hey we're the big guys on the block, we do what we want and we're doing this. That's not what they want to do. Until I have evidence that they've actually changed the manner in which they communicate to adjoining property owners and file appropriately with the Public Works Department, I'm not voting for any encroachments for Bell Telephone.

Mr. Cohen:

Very briefly Mr. President, thank you for the comments. I'm working with Director Walluk to set up a system of fines and penalties for these actions if they occur in the future. I think that's probably the best way to send a message.

I'd like my comments brought forward on Bill 732.

(REMARKS ON FOLLOWING PAGES)

(MESSRS. COHEN & FERLO'S COMMENTS ON BILL NO. 732)
(Wednesday, May 13, 1992)

Mr. Cohen:

Second for discussion, please. Thank you very much,
Mr. Chairman.

I want to thank Council for recommitting this bill. That is a bill that involves a telephone cabinet and two bollards—that Bell Telephone of Pennsylvania put on Kentucky Avenue at Maryland. And this came up about a week ago and we discussed it.

Frankly, I feel that Bell Telephone has not worked well with the city on this issue, that is an understatement. They put in this telephone cabinet and these two concrete bollards without ever asking permission from the City of Pittsburgh. And moreover, they did not notify all the residents who were required to be notified. If you recall, the people who were here, Councilmembers here last year, I introduced a bill that was passed by this Council on June 18, 1991 that requires all adjoining property owners to be notified of encroachments of this nature. One resident was notified, his name is Michael Ianoni, I hope I am pronouncing his name right, and he was kind enough to talk and show us a letter that he received from Bell Telephone. The letter says that Bell Telephone will be placing a metal box, cabinet, in front of his house, and they give a diagram of this metal cabinet. There are a couple problems. This gentleman called Bell Telephone to say that he objected to it, and I think any of us would probably object to it too, when you look at it, and he was told over the phone that his objection was, quote, "irrelevant." None of the other property owners were notified about this. The cabinet in the diagram shows that the metal box is two feet wide and three and a half feet tall. We went out and measured it, it is, in fact, bigger than that; three feet wide and four and a half feet tall. It is a rather large item. The residents disapprove of this.

My strong feeling is that we can't let Bell Telephone or any other utility think that they own our right-of-ways by just going in and putting a cabinet or any piece of equipment on our right-of-way without getting permission from the city. I think that we have had some problems with some utilities in the past with this type of thing, and we can't ignore the residents who live around it.

So Directors, I know you have been waiting here patiently. I would like to ask you if you would work with me to try to develop fines for companies that do this, that is, to put something on our right-of-way without our permission?

Mr. Walluk:

Sure, we will be happy to look into that. The problem we ran into here, and we ran into several times, is that the

utility companies will go in and put in either a cabinet or vault or something, we don't find out about it until somebody calls it in, such as a resident, or we go around and one of our inspectors find it. Then we have to come back to you with our hats in our hands and apologize for these people because they didn't get the proper permit.

Michelle Madoff:

Remove it.

Mr. Walluk:

The issue here is what control do we actually have over the utilities? And I think the Public Service Commission has input. So we have to research this somewhat in terms of what the city's ability is to control these activities. I would ask that you give us a couple weeks to meet with the Law Department, go over these items, and we will be back to you within a couple weeks with a report.

Mr. Cohen:

Thank you. I know your word is good. I would like to work with you and the Solicitor, and frankly, I would like to ask Council to disapprove this legislation. I don't often ask that this be done, but we have to send a message that Bell Telephone or any other utility can't think that they own our streets, and they have to go through the proper procedure. If we vote no on this, they will have to start from scratch and do it the right way.

Michelle Madoff:

How about removing it?

Mr. Ferlo:

I think we need to clean up our administrative procedures in Public Works. When I raised this last week about whether or not the adjoining property owners, indeed, did know about it and/or give approval, it was indicated yes that was the case. That is not the case. I am asking you and the Director to review the existing procedures that we have within Public Works.

This comes up not only on these vaults with these utilities, but also on some of these easements and right-of-ways. But utilities in particular are notorious.

I think obviously I support Mr. Cohen's concern, but I am concerned also that we do more to verify it. You stated that you do go back and check the Pennsylvania One Call and match it up with those that actually have filed permits on the counter. That is one step in the right direction. I applaud you for

that. But we need to get better verification where the utility comes in and fills out that permit that they can give you verification, including the letter that they show. It is one thing for Bell Telephone to send a letter to the property owner saying, "We would like your permission," it is another thing for them, as Mr. Cohen just stated, to send a letter stating, "We will be putting up this vault." That is a big difference in the tone and intent of the letter. We need to verify that.

As far as I am concerned, Bell Telephone can go pound salt.

(End of remarks)

(Transcribed by Helen L. Kriebel)

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

VOTING NO:

Mr. Cohen	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Mr. Milliones	Mr. Wagner
	(Pres't)

AYES none NOES 6

And a majority of the votes of Council not being in the affirmative, the bill was defeated.

Mr. Cohen presented

Bill No. 850

Report of the Committee on Planning, Housing and Development for May 13, 1992 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 756

A Resolution entitled, "Resolution amending Resolution No. 635, approved July 10, 1985, as amended by Resolution No. 285 of 1987 and by Resolution No. 50 of 1989, Resolution Nos. 135 and 1181 of 1990, and Resolution No. 1155 of

1991, entitled: 'Providing for the filing of a Community Development statement by the City of Pittsburgh in connection with the 1985 Community Development Block Grant Program', so as to re program funds in the Department of Public Works."
—(SPONSORED BY MR. FERLO)

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Mr. Milliones	Mr. Wagner
	(Pres't)

AYES 6 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Onorato presented

Bill No. 851

Report of the Committee on Public Safety for May 13, 1992 transmitting one ordinance to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 619

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Six--Conduct, Article I--Regulated Rights and Actions, Chapter 611--Alarm, Section 611.01--Definitions, by adding a new (b) Operative Alarm System and changing the present (b) to 611.01(d) and adding Section 611.01(e) Multipurpose Alarm; and amending Section 611.03(a) to reflect Operative Alarm System language and (c) to require the posting of a permit or permit number; and Section 611.06 (a) Permit Fee, by changing the alarm system permit fee; and Section 611.07 (a) False Alarm Penalty by changing the false alarm penalty fee, and by adding Section 611.07 (c), a ninety-day grace period for false alarms and by adding Section 611.08, Penalty for Failure to Post or Obtain Permit. By amending Chapter 611--Alarm, Section 611.01--Definitions, by changing 611.01 (b) and (e); Amending Section 611.03--System Requirements by changing 611.03(a); Amending 611.06--Permit Fee by changing 611.06 (a) and deleting (b), (c), and (d); Adding 611.07 (d); and creating a new section 611.09--Refunds."

---(SPONSORED BY MR. ONORATO, MR. RICCIARDI, MR. FERLO, MR. COHEN, MR. O'CONNOR & MR. DARKINS)

Which was read.

Mr. Ricciardi moved to recommit Bill 619.

Mr. Onorato seconded the motion

WHICH MOTION PREVAILED.

Mr. Ricciardi presented

Bill No. 852

Report of the Committee on Engineering and Construction for May 13, 1992 transmitting one

resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 763

A Resolution entitled, "Resolution further amending Resolution No. 1296, effective January 1, 1992, entitled, 'Adopting and approving the 1992 Capital Budget and the 1992 Community Development Block Grant Program and approving the 1992 through 1997 Capital Improvement Program' by creating a new line item, EC92-664, Tenth Street Bridge Pedestrian Connection to South Side Riverfront Park." --- (SPONSORED BY MR. WAGNER)

Which was read.

The Chair:

I'd like my comments brought forward on Bill 763.

(REMARKS ON FOLLOWING PAGES)

(MR. WAGNER'S COMMENTS ON BILL NO. 763-Wednesday, 5/13/92)

Mr. Wagner:

I want to make a brief comment. This is a very simple but important piece of legislation. The county is going to reconstruct the Tenth Street Bridge sometime in the future. We keep talking about our commitment to the riverfront. There is a beautiful riverfront park in the South Side, it is difficult to access the park at the Tenth Street area in the South Side, and it is impossible from the South Side Bridge, unless you jump off the bridge. So what we are really doing is creating a pedestrian connection to the South Side Riverfront Park, which could take you all the way to the boat launching facility and even beyond. We are doing this on the South Side section of the bridge and not the Downtown section because the pedestrian area is on the South Side section, obviously.

Mr. Ferlo:

In voting to approve this, which obviously I applaud the initiative on your part, what is the response? Do we know what the response of the Administration is relative to utilizing these capital dollars, assuming we support this?

Mr. Wagner:

I have not lobbied the Administration on this issue. However, the Mayor has indicated that she is committed towards enhancing our riverfronts; therefore, I would suspect that they would simply support the legislation.

(End of remarks)

(Transcribed by Helen L. Kriebel)

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
	Mr. Wagner
	(Pres't)

AYES 5 NOES 1

(MR. MILLIONES VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

MOTIONS AND RESOLUTIONS

The Chair presents

No. 860 Resolution appointing Brother Richard Emenecker, 4720 5th Avenue, Pittsburgh, Pennsylvania, 15213, as the Director of the Department of General Services. Such appointment is to be effective on or about June 1, 1992.

Which was read.

Mr. Milliones moved that Brother Richard come in front of Council.

Mr. Cohen seconded the motion.

Which motion prevailed.

The Chair:

Mr. Perry, do we have any indication when that will be? When that's possible?

Mr. Perry:

Brother Richard's out of town. He'll be in probably Thursday. We can have him here next Wednesday.

The Chair:

Wednesday a week. Okay.

Mr. Cohen:

Thank you, Mr. President. I'd like to bring two items to Council's attention this morning, one is I just received recently a copy of a letter from the Department of Environmental Services apparently to all of the apartment owners in the City of Pittsburgh, and it says this:

To whom it may concern:

Please read the enclosed form. In order for the City of Pittsburgh, Department of Environmental Services to continue to remove municipal waste and recyclables from this property we must have this form signed and returned. If this form is not signed and returned within ten days your collection service will be terminated.

And the form says its a release of all liability by the apartment owners, and it says that in consideration of the City of Pittsburgh collecting municipal waste or recyclables from containers which are located on my property, I hereby release and agree to indemnify, defend and save harmless the City its employees and agents from any and all liability for damages. Including personal injury and property damage arising from the City's collection of such

materials.

I've received a number of calls about this. Basically, it says if you don't sign this form we don't pick up your garbage. And it seems to me that suddenly and essential City service can only happen if the owners sign away their rights.

I think that this is wrong and I talked to the Solicitor Mary Conturo about it yesterday. Now, she said that this will not be enforced without further discussion after I raised a complaint about it.

But, I would like Council to take a more formal action on this, and ask that the Solicitor -- because it seems that this came out of the Solicitor's office not the Environmental Services' office -- the Solicitor give us a written justification for this action, and ask specifically that this not be enforced without Council having more involvement with it.

It just seems that we shouldn't be asking taxpayers who pay for this service to be signing away their rights, and without a very strong justification. So, I'd like to move that we send that letter to Mary Conturo.

Mr. Ferlo seconded the motion.

Mr. Onorato:

Just to add to what Councilman Cohen said, I had an experience about a month ago with some of the apartments in my district where you have an option to have your trash picked up once a week or use a private hauler. And they were told on the phone that if you get a private hauler you can no longer have your one day with the City, and that didn't make sense to me either.

We called Environmental Services and they verbally told me that that was wrong. So, maybe we should put all this together and get a

policy addressing both issues. Because, I don't have anything in writing, but yet I know that went out of the office to where you weren't entitled to a pick up if you use private haulers.

Mr. Ferlo:

On the same issue, I know my office received about three calls yesterday. We have a lot of larger apartment buildings in my district also like Mr. Cohen. Again, I had called to complain to Mary Conturo and also to Acting Director Hugh Elston.

But, I want to remind the Administration because Mr. Onorato raises another issue, and we've had a couple other unrelated issues regarding garbage pick up, that you know the garbage pick up is codified into law in this City. And you know when they do these changes they have to legally as far as I'm concerned come back to Council, if they're talking about changing these rights. And you know this is yet another example of the Administration be arbitrary and capricious when it comes to providing a City service.

I don't legally they have the authority to do that, and as Mr. Cohen stated when someone receives that form its very threatening, its very intimidating. You know we're talking about people that do pay taxes and should receive City services as much a residential home owner. Its just very upsetting when we get these letters, then everybody starts calling our Council offices, and we do things not in the appropriate manner. So, I agree with a cease and desist order.

Mr. Cohen:

It really puts the only in a terrible position, because the owner who has been receiving this service says, okay I have to sign away my right to claim against the City if the City does something wrong, and we all every week

have seen where City vehicles have had accidents, and that's going to happen in the future. Inevitably with the number of City vehicles we have in the hundreds we're going to have accidents.

So, what does an owner do, say well I guess I'm not going to have my garbage picked up anymore or say I guess I'm not going to be able to have a claim against the City if a truck runs into my building or something like that.

So, I think we should pass this, but I think we should also say that a letter should go out to all the property owners who received this saying that "your garbage will not be terminated until further discussion occurs in City Hall".

The Chair:

May I ask an elementary question here? Is this where the apartment owner is paying for the service or not paying for the service?

Mr. Cohen:

Is paying. Right now under the new rules an apartment building does get once a week pick up, and is paying for that through taxes. Not through an additional fee but through taxes, I believe, yes.

The Chair:

Could this also be with the additional fee?

Mr. Cohen:

I think it would occur either way sure.

The Chair:

Okay.

Mr. Ricciardi:

Mr. Wagner, I would just like to say my first two years on City Council from '90 to '92 I only received one complaint on refuse pick up in the City of Pittsburgh, but over the last six to nine months I've received dozens. So, I agree with what Mr. Ferlo has stated that if the Administration's going to make any changes maybe they should consult with us and we could work closely with them.

Mr. Ferlo:

I thought this memo from the Solicitor was the Struggling Attorneys Assistance Act. I mean she does these things an immediately all these property owners have to go out and get an attorney to try to understand their rights under the Act. So, I would ask the Solicitor to be more conscientious.

The Chair:

Environmental Services has to get their act together here including the Solicitor and the Administration. The worst time of year to suggest stopping pick up is in the summer months. I mean that thought should not even be entering the Administration's mind.

Mr. Cohen:

That's right.

WHICH MOTION PREVAILED.

The Chair:

Are there any other issues?

Mr. Cohen:

Thank you very briefly Mr. President. On a happier note this City Council received an award on Thursday from the Greater Pittsburgh

Commission for Women. We received the Gloria Fitzgibbons Award for our job sharing bill that we passed a few months ago. This award goes to three entities, one is a government, another is a corporate, and the third is a non-profit entity, and we won the government award for doing the most for women through this job sharing bill.

We received a plaque that went on a small painting that they hopefully will give to us soon, by a local artist and it just says, The Greater Pittsburgh Commission for Women, Gloria Fitzgibbons Award presented to Council of the City of Pittsburgh, May 14, 1992.

And as I said we received a small painting or we are about to. I have seen it. It's by a local artist, and we are recognized for something that we did. So that's a happier note.

Mr. Ferlo:

We have three what I would consider fairly complicated financial issues coming before us in the next couple of weeks. Maybe Chairman Milliones can shed some light on this. But, one today is the \$29 million refinancing of outstanding debt on the 1985 stadium debt, and I did ask Director Hayllar to send us a written explanation for the justification for his proposal to refinance the debt, and I would hope that we receive that by the end of today so we can review it.

Secondly, we also have I believe very shortly a second general obligation bond to resupply the capital fund in the City. I'm not sure what that amount will be but pursuant to that I did ask the Administration to supply to Council a listing of what the priorities will be regarding the capital bond fund. What are the specific projects that they're proposing?

By way of example we just passed a resolution regarding the Tenth Street Pedestrian

Stairwell. I mean each one of us could probably think of issues that we're concerned about regarding capital projects, and also I ask what is the outstanding revenues right now in the bond fund?

Thirdly, there's another bond fund issue coming up regarding the outstanding issue of the expansion of the Convention Center. The acquisition of the parking lot, funding of the Historic Museum, the Cultural Trust proposal, and whatever else that outstanding bond is being proposed.

So, I just think we need more timely information in writing regarding these three issues. Again, it does raise the continued need for Council to consider hiring some professional expertise. Preferably under our consultant line item to assist us when some of these issues come up. But, I would like that written information prior to Council finally approving these three different proposals.

The Chair:

Mr. Perry, would you please request that. Actually not just prior to finally but prior to it coming --

Mr. Ferlo:

-- Well prior to initial debate on them.

The Chair:

Yes.

Mr. Ricciardi:

Thank you, Mr. Wagner. First I'd like to say the job sharing bill that City Council won the award by for the listening audience was sponsored by Mr. Cohen.

Next, Mr. Robert O'Connor, Chairperson of Parks and Recreation, asked me to make a deaf announcement. As we know the newspapers are on strike, and its a very sad announcement for me to make, because I worked very closely with this gentleman. His name was Vincent Hurley and I'm sure others have worked closely with him to.

If I may Mr. Wagner. Vince Hurley died on Sunday, May 17, 1992 and for those of us who knew him well, he worked for the City of Pittsburgh for 30 years as a Supervisor. Viewing will be held at the McCabe Funeral Home at 6214 Walnut Street, today and Wednesday from 2:00 - 4:00 p.m. and 7:00 - 9:00 p.m. A mass of Christian burial will be held at St. Bede's Church, 509 South Dallas Avenue, Thursday, May 21, 1992 at 10:00 a.m.

For those who know Vince not only was he a good worker and a superb employee, but he was a very good gentleman and a class act guy. I'd like to make that announcement for Mr. Bob O'Connor.

The Chair:

Thank you, Councilman.

There is a post agenda immediately following this meeting being held by Councilman Cohen. The discussion will be regarding the removal of parking meters at North Craig and Bayard Streets.

Mr. Ferlo moved to excuse Mr. Darkins and Michelle Madoff for absence from the meeting.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. Ricciardi moved to approve the Minutes of Tuesday, April 21, 1992 and Monday, April 27, 1992.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Milliones moved to meet next Tuesday, May 26, 1992 at 2:00 p.m.

Mr. Cohen seconded the motion.

Which motion prevailed.

And on the motion of Mr. Onorato

Council adjourned.

MUNICIPAL RECORD

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VOL. XXXVI

Tuesday, May 26, 1992

No. 21

Municipal Record

ONE-HUNDRED TWENTY-SEVENTH COUNCIL

JACK WAGNER President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER.... Asst. City Clerk

Pittsburgh, PA
Tuesday, May 26, 1992

PRESENT:

MR. COHEN	MR. O'CONNOR
MR. DARKINS	MR. ONORATO
MR. FERLO	MR. RICCIARDI
MICHELLE MADOFF	MR. WAGNER
MR. MILLIONES	(Pres't)

The Meeting was opened by the recitation of the Pledge of Allegiance to the Flag of the United States of America, and a moment of silent prayer for peace throughout the world.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Cohen:

Would the good folks from Hillel please come up here, and Henry Mordoh.

Mr. Cohen and Mr. O'Connor presents

No. 885 WHEREAS, Hillel Academy of Pittsburgh, a modern progressive school for pre-school through high school aged children affiliated with the National Society for Hebrew Day Schools will hold its Annual Dinner at the Hyatt Regency Hotel on May 31, 1992; and

WHEREAS, Hillel Academy will honor Mr. Henry Mordoh, President of Shadyside Hospital and Hillel Board member, for his valuable work with the school and in the Pittsburgh medical community; and

WHEREAS, the guest speaker at the dinner, Rabbi Marvin Hier, is founder and dean of the Simon Wiesenthal Center and recipient of an Academy Award in 1992 for his documentary film "Genocide," is publicly acclaimed for his outstanding contributions internationally, and is widely known as a dynamic and provocative speaker.

NOW, THEREFORE, LET IT BE RESOLVED, that the Council of the City of Pittsburgh hereby commends and congratulates Hillel Academy for its fine contribution to educating children and the public at large and

congratulates Rabbi Hier and Mr. Henry Mordoh for being honored at the Hillel Academy Annual Dinner; and

LET IT BE FURTHER RESOLVED, that Pittsburgh City Council hereby declares May 31 to be Hillel Academy in the City of Pittsburgh.

Mr. Cohen moved to adopt the resolution.

Mr. O'Connor seconded the motion.

Which motion prevailed.

Mr. Cohen:

Thank you, Members of Council. Councilman O'Connor and I have introduced this resolution in order to congratulate Hillel and Hillel, as I said, is having a big dinner coming up.

I have a special place in my heart for Hillel Academy because my grandfather worked very closely with Hillel Academy and I really think they do a great job in educating children.

We're very happy to have here Rabbi Kletenik, who is the Principal of the Academy, Beverly Brinn and Miriam Cohen, no relation, who are the Co-Chairs of the Hillel Dinner, and Henry Mordoh who is going to be the recipient of an award that night. Also, all of you know Sandy who is Mr. Mordoh's lovely fiancée and also worked here in this Council for Councilman Regan. Congratulations to all of you.

Councilman O'Connor, do you want to say a few words first?

Mr. O'Connor:

I'm very proud to be co-sponsoring this proclamation with Dan and I want to congratulate Henry not only on his award this Sunday but for all the work he has done at Shadyside Hospital,

Heritage Shadyside and for Hillel. Heritage was honored two weeks ago. I'm a close neighbor of both

I have a special interest, too, in Hillel. My nephew, Shani, graduates this year and my niece, Maya, is in tenth grade and she just came back with the Rabbi from Poland and Israel on a Trip For The Living. It's a very special place and I have learned a lot through them and through you about all the things that are going on outside of our own religion and the outstanding things that Hillel does to broaden all the young people that go to school there.

I'm very proud to be associated and congratulations to all of you.

Mr. Cohen:

Henry, why don't we start with you? Henry Mordoh, the President of Shadyside Hospital. You and I planted some cherry blossoms last week in front of the hospital.

Henry and I have had a difference or two over the years, but I think the planting of the trees reflected a renewal of a relationship and one between Shadyside Hospital and Shadyside and one between you and me.

So, congratulations on Sunday and please say a few words.

Mr. Mordoh:

Thank you all. The cherry blossom trees, by the way, that he mentioned, we received a gift from a friend of ours from Japan and they were 55 cherry blossom trees to plant in Shadyside. It was really a dedication of friendship between our two countries which brought Dan to us at the hospital as our guest.

But what I'm here to do today is to say that

I'm honored to receive this resolution but, more important, I was honored to be asked to serve on the Board of the Hillel Academy. The thing that made it so exciting for me was when I toured the Institution, Beverly Brinn gave me a tour, I got to meet the teachers and the students. If any of you have been there, the physical plant is basically old and haggard. The books are old, the covers are falling off. Tile is missing. It does not look like a school. The thing that was very interesting was that inside that school something lived, and what lived were three very important elements; that was, dedicated teachers, dedicated children and dedicated parents producing marvelous children that enter our society and become leaders in our community.

I think that's a lesson for all of us to learn and today I would like to thank you all.

Rabbi Kletenik:

On behalf of Hillel Academy I would like to first of all thank Councilman Cohen and Councilman O'Connor and the entire City Council for recognizing our work within this community. Hillel is one of the pioneering Jewish day schools in the United States, having served the Pittsburgh community for some 45 years, providing the finest of secular and Jewish education and, as Mr. Mordoh mentioned, has produced many leaders within our community.

We are especially pleased and privileged to be able to honor Mr. Henry Mordoh who certainly richly deserves this tribute, not only for his service to our Pittsburgh community in general, his position of leadership as President of Shadyside Hospital, but particularly we at Hillel are very grateful that he has become a Member of our Board and a very active and supportive Member of our Board. It is community leaders such as Mr. Mordoh who will enable Hillel Academy to continue with its important work into the next century. Thank you.

The Chair:

Thank you all.

Mr. Darkins:

I would like to ask Reverend and Mrs. Frencher to come forward, please.

Mr. Darkins presents

No. 886 WHEREAS, on the first Sunday in November of 1988, the Reverend Michael A. Frencher, Sr. became the tenth Pastor of Wesley Center A.M.E. Zion Church; and

WHEREAS, over the past four years, Reverend Frencher has significantly increased membership, added a children's choir, and a male gospel chorus; and

WHEREAS, Reverend Frencher has gained the reputation as a minister that tends to the needy and sick, regardless of ones church affiliation; and

WHEREAS, Reverend Frencher's peers elected him to attend the A.M.E. Zion's General Conference which meets every four years to shape policy and elect Bishops that will affect every A.M.E. Zion Congregation in the world; and

WHEREAS, on Thursday, May 28, 1992, the Pittsburgh Theological Seminary will crown Reverend Michael A. Frencher, Sr., Doctor of Ministry; and

WHEREAS, Dr. Frencher's dissertation topic, "Reactivating Inactive Members," is a teaching tool for other churches to replicate; and

WHEREAS, the Reverend Doctor Michael A. Frencher, Sr. is a member of the

Pittsburgh Branch NAACP, the Pittsburgh Urban League, the A.M.E. Zion Ministerial Alliance and the Hill District Ministries; and

WHEREAS, Dr. Michael A. Frencher, Sr. is married to Gelenia and they are the proud parents of Michelle and Michael, Jr.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh congratulates the Reverend Doctor Michael Angelo Frencher, Sr. for increasing his competence in the field of ministry.

Mr. Darkins moved to adopt the resolution.

Mr. Ricciardi seconded the motion.

Which motion prevailed.

Reverend Frencher:

First of all, I'd like to thank Bishop Darkins and the entire City Council of Pittsburgh for recognizing me for these achievements. I am certainly honored and humbled by this particular experience in my life. But I must say that any achievements that I have accomplished, I owe to the support of my wife, Gelenia, as well as my two children, and also to my Church, the Wesley Center African Methodist Episcopal Zion Church. In honoring me this day, you also honor them.

I would like to close in saying that if there is anything that I, my wife, children, or the Wesley Center A.M.E. Zion Church can do to help City Council and the City of Pittsburgh, all you need do is call on us and we will do all that we can to help this great City.

Again, thank you, Bishop Darkins, and thank you, Members of the City Council of Pittsburgh.

The Chair:

Thank you.

Mr. Darkins presents

No. 887 WHEREAS, June 1992 is a momentous year for thirty seniors graduating from George Westinghouse High School; and

WHEREAS, these honor students successfully completed the school's four year intensive Science and Mathematics Program; and

WHEREAS, because these students were committed to develop their potential, they are capable to be our "Future Leaders"; and

WHEREAS, through determination, they obediently challenged their minds to ignore obstacles that could prevent them from reaching their goals; and

WHEREAS, these students are to be commended for their perseverance and dedication to the Science and Mathematics Program and to be recognized as role models for other students.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh salutes Westinghouse Electric Corporation for sponsoring the Science and Mathematics Program at George Westinghouse School and the Pittsburgh Board of Education for support and approval; and

BE IT FURTHER RESOLVED, that this Council congratulates the following students for completing the Science and Mathematics Program at George Westinghouse High School: Tamesha Alexander, Tarsha Austin, Marcus Brown, Jerome Caldwell, Jason Chatman, John Chestnut, Eesha Clark, Sharnette Crite, Kimberly Davis, Lon English, Juantez Garnett, Tanisha

Gibson, Jauneline Hardy, Veronica Howze, Celeste Humphries, Monica Jackson, Alaina Johnson, Alana Kyser, Khalid Lawson, Roshonda Mitchell, Seth Phillips, Debra Porter, Leonard Michael Price, Jason Ross, Margaret Saunders, MeSheca Stenson, Talitha Swindle, Kelly Williams, Nicole Witt and Dana Woodson.

Mr. Darkins moved to adopt the resolution.

Mr. O'Connor seconded the motion.

Which motion prevailed.

Mr. Onorato:

Would Mr. Thomas Sessions come forward, please?

Mr. Onorato presents

No. 888 WHEREAS, in the early morning on May 2, 1992 Mr. Thomas Sessions was traveling on the East Street Bridge and came across a police officer talking to an individual who was sitting on the railing of the bridge; and

WHEREAS, the individual on the railing of the bridge was located on the opposite side of a 12 foot cyclone fence and was contemplating jumping; and

WHEREAS, at one point the individual dropped his shoes onto I279 and threatened to follow them 250 feet below; and

WHEREAS, Mr. Sessions, a resident of the North Side and a former police officer, came onto the scene and joined the officer present in attempting to talk the individual out of jumping; and

WHEREAS, with Mr. Sessions' help the individual was convinced to stand between the bridge railing and the cyclone fence so that

conversation could continue; and

WHEREAS, the plan of action discussed was to pin the individual bodily between the railing and the fence to keep him from jumping until emergency units could arrive; and

WHEREAS, Mr. Sessions volunteered to and in fact did pin the individual by leaning his own body weight against the fence trapping the individual until Special Services and Rescue 2 units arrived to bolt cut the fence from around him and subdue him; and

WHEREAS, the individual struggled very hard to free himself to attempt to jump, but was kept from doing so by Mr. Sessions.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh recognizes Thomas Sessions for becoming involved in this emergency situation and for his heroic efforts to keep another individual from harm.

Mr. Onorato moved to adopt the resolution.

Mr. Darkins seconded the motion.

Which motion prevailed.

Mr. Onorato:

Mr. President and Members of Council, it gives me great pleasure to recognize Mr. Sessions. This is a good example of an individual who is a retire officer, saw a problem in an area where a lot of people say needs a lot of help, and decided to do something as a private individual.

At this time I'd like to have Mr. Sessions say a few words.

Mr. Sessions:

I'd like to thank everybody for the opportunity to be here.

I'm not very good at a whole lot of words but I saw at the time that somebody needed my help and being a policeman for 27 years I feel as though it's one of those things that you can't get away from. I will always be out there for anybody who needs my help.

Again, I thank everybody for this award here. Thank you.

The Chair:

Thank you.

Mr. Ferlo:

We have some guests here today from the Health Care For All organization.

Mr. Ferlo presents

No. 889 WHEREAS, the U.S. Health care system in inadequate; more than one out of four Americans have no insurance or are grossly underinsured; and

WHEREAS, the U.S. health care system is expensive; the costs of medical care in 1991, \$756 billion, was 200% higher than that of Great Britain and 38% higher than that of Canada, where health care is guaranteed without exception and the top ten drug companies in the U.S. reaped profit margins of 15.5% compared to that of Fortune 500 companies at 4.6% in 1990; and

WHEREAS, the U.S. health care system is inefficient; the General Account Office estimates \$65 billion annually in duplicative overhead costs of the 1500 different private

health insurance plans could be eliminated with a single, national insurance system; and

WHEREAS, Health Care for All is an educational, advocacy and citizen action organizations based in Southwestern Pennsylvania which was formed to advance the principals of universal access, comprehensive benefits, quality and efficiency assurances, full public accountability, equitable financing, removal of financial barriers to care, and enforceable and effective cost control measures in the provision of health care in the U.S.; and

WHEREAS, this weekend, Health Care for All will sponsor a delegation of Canadian officials to include a member of the House of Commons, a public employees' union representative and a family physician, who will explain the Canadian universal health care system during various events planned over the two-day period.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend Health Care for All for their efforts to reform the provision of health care in the U.S., and

BE IT FURTHER RESOLVED that Council does hereby declare May 29 & 30, 1992, as HEALTH CARE FOR ALL days in the City of Pittsburgh.

Mr. Ferlo moved to adopt the resolution.

Mr. O'Connor seconded the motion.

Which motion prevailed.

Mr. Ferlo:

We have a couple representatives from Health Care For All. We have three people, Bill Wexelman and also George Goldstein and also

Dr. Ann Maas. I think George Goldstein has a statement and maybe Dr. Maas would like to add a few words.

I guess I've been pretty active on health care concerns for the last 20 years. It's unfortunate that in this country, people may not be familiar with this but the actual first health insurance proposal was argued on the floor of the Congress as far back as 1912, and here we are going into the end of 1992 and we continually have new proposals, new measures being offered by the Congress and continual debate ad nauseam.

I think very clearly, and certainly Senator Wofford's recent election was at least some indication of the barometer of support in this Country and in the Commonwealth for the need for the Congress and the Administration to really come to grips and recognize that health care in this Country remains a privilege and not a right and I think that we need to really put pressure on the Administration and the Congress. There are many proposals as we speak. Senator Wofford has a proposal. I personally in the past have contributed to the writing of the Congressman Ron Delan's U.S. Public Health Service Bill.

I guess I have mixed emotions today. I'm applauding health care for all and I guess as a practical point of view I would favor any type of comprehensive universal health insurance scheme but I really believe that we need to envision and create a national public health service in this Country.

I'm probably the only person in this room who has picketed the American Medical Association with Maggie Coon of the Gray Panthers back in the '70s, and I think it's that kind of action as well as legislative action that we really need to harness. My hope for this weekend's event where we begin to talk practically and look at our neighbors, in this case

our neighbors in the Canadian system, we have much to learn of the British Health Service. I think we really need to elevate the debate in the Country and really in this election year which is such a fluid election year given the phenomena of Ross Perot, we really need to be out front on the issue and I'm very excited about helping to give attention to and promote this weekend's health care event.

At this time I'd like George Goldstein to say a few words and possibly Dr. Maas would like to add a few comments.

Okay, we're going to give it to Dr. Maas.

Dr. Maas:

I want to thank the City of Pittsburgh for having such a progressive City Council. I want you to know that this is not usual.

I particularly thank Jim. I know the kinds of things he has been involved in and I personally appreciate that very, very much.

I'm a member of the Planning Committee of our Coalition and the two members that we have here today are somewhat representative of our Coalition. We have a couple of doctors, we have a couple of nurses. We have a former HMO Director, Bill Wexelman is a lawyer, I'm an academic. We have a lot of other people. We have people from Citizen Action, a very gutsy kind of organization that's out there in the forefront of anything progressive.

I just want to say that we have a very formidable opposition in the AMA. The AMA has 300,000 members and not all doctors belong to that. There are a lot of very good progressive doctors as well who are very humane and who don't want to be in a profit making market oriented kind of system. There are 3,000 of those who are members of the Physicians For National

Health Care. We have a couple of those in our Coalition, thank heavens.

So, we have those kinds of people and we have all kinds of other people who want to help mobilize citizens to try to educate them because there's a welter of bills which are coming down which people are very confused about and we have to try to educate people so they won't push the wrong ones so they won't be satisfied with patchwork and the kind of thing that the present Administration is trying to put down our throats.

I will introduce George Goldstein who is going to say a few more words.

Mr. Goldstein:

Thank you, Ann, and thank you, Jim.

Members of the City Council of Pittsburgh, as Ann said, my name is George Goldstein. I am a retired Executive Director with some 30 years of experience directing health maintenance organizations. Currently, I am an adjunct Assistant Professor of Public Health at the University of Pittsburgh and I am a member of Senator Harris Wofford's Health Care Reform Advisory Committee.

I'm here to speak for health care for all for the Southwestern Coalition for National Health Care System Reform. I'm delighted that Council has adopted the proclamation introduced by Councilman Jim Ferlo on National Health Care System Reform.

As I'm sure you are all very sharply aware, our country faces today an enormous health care crisis. Because of this crisis and the widespread concern of Americans and the almost unanimous support for health care system reform, the U.S. Congress is now debating what kind of reform they should adopt.

Three general types of reform bills are being considered. First, there are what we call tinkering bills which seek only very minimal reforms leaving our current health care system untouched and thereby leaving our health care crisis also untouched.

Second, our play or pay bills which, although they provide insurance coverage for the uninsured, do nothing at all for controlling our runaway medical costs.

Third, is the single payer type of reform bill which, in the opinion of our coalition, is the only type of bill which can deal with the problems of our health care crisis and will do so without increasing cost and tax bills for the average American family. A single payer type of a program would be established and would be very similar to what the Canadians have had in their country for some 22 years, a system which since 1970 has provided both high quality health coverage in Canada for all Canadian citizens and at some 35 percent less cost than we do in this Country.

As a result of these kinds of facts, the Canadian Health Care System has been under discussion widely in this Country as a possible model for reform here in this Country. Therefore, our Coalition has organized this weekend of meetings, which both Jim Ferlo and Ann Maas have mentioned to you, bringing to Pittsburgh three Canadian experts to describe the Canadian Health Care System and how it might be adapted for the United States.

I want to invite the Councilmembers to attend one or more of the meetings we're having with the Canadians. First, there's a conference Saturday morning for the general public at the University of Pittsburgh's School of Public Health Auditorium. However, on Friday, the day before, there are three smaller, more focused meetings at which I think Councilmembers

would find it easier to get their personal specific questions answered. These are first at 8:30 a.m. Friday morning, a meeting for labor at the Downtown YWCA. Secondly, at 4:00 Friday afternoon, a special meeting for community agency leaders at the Forbes Quad of the University of Pittsburgh. And third, a 6:30 reception at a private home in Oakland, again, at which there will be much informal discussion with the Canadian experts.

This red and white leaflet which I see you have on your desks, on the back will give the details of the time and place of all of these meetings so that you can specifically pick out one or more which you would like to attend and ask some questions.

Thank you for your interest and, Jim, thanks very much.

Mr. Ferlo:

If anybody listening in the audience would like to attend the Saturday session, you can call my office at 255-2140 and we'll give you information concerning the Saturday event.

We have a sick health care system that's in need of radical surgery and I think we need to participate in this weekend's event and begin to have some discussion and debate the merits of the various proposals, some of which Mr. Goldstein has outlined.

Michelle Madoff:

Not only is this legislation, this resolution, timely, but it's long past due. I think we need to put some of what has happened today in perspective. Number one, I have dual citizenship. I was born in Canada; once a British subject, always a British subject. My mother, who lives between Florida and Toronto, is covered under the Canadian Medical System and

I will tell you that it is very fine no matter what anybody says.

I'd like to, as I said, put some perspective on this. Two years ago in August, the only person who knew about it was Dan Cohen who never said anything, but I almost died of three embolus. I had supposedly a minor thing on my leg but because I was immobilized I three three embolus and you know how serious that is. Two to my left lung and a massive one to my right lung. The bill for that hospital stay from the 10th of August until the 30th was over \$100,000. If I didn't have adequate insurance, I don't know how people would pay for it.

But I want to tell you something very recently that nobody knows. And if the reporter, Mr. Schmitz is listening because he reports on who attends what Council meetings, I have never missed a major vote in the 14 years that I've been here, if you're listening, John. But I did miss a meeting one day because I had my annual check up and found out that on a stress test I wasn't getting blood to my heart, they thought. So I had an angiogram. It turned out that it was a false positive and I understand that in women, 25 percent of the time it's false positive. The bill came in, not for the doctor, just for the hospital - I should have asked Mr. Mordoh, it was at Shadyside Hospital - \$4,500. I went in one morning and I wasn't allowed to come home because they go through the vein in the thigh and I didn't come home until the next day.

Now, when we look at those numbers we're dealing in the real world here. How do people who do not have adequate medical care get attention? The story has been told that those who have insurance get taken care of and that's basically the truth.

And I'd like to point out so that I'm not just giving you history, I'm just telling you about my own experience, for the last three years I have

been going to the AARP Society, Association for Retired People, and to senior citizens groups and I've been lecturing on their getting behind nationalized medical care and that is an avenue that you really want to contact because not only I but I'm sure a lot of people have laid the ground work. That's one of the most critical issues on the front burner of the public today and that's where I would start for support.

I have always maintained that if there are enough votes in the ballot box to paint dogs purple, dogs would be purple. There are enough senior citizens who vote and that's how you're going to get this legislation through, through the senior citizen vote in this Country. And I urge you to get in touch with the AARPS and the senior citizens.

Mr. Ferlo:

Michelle, I think your comments exactly highlight why we need input this weekend at the meeting.

Michelle Madoff:

And I'll help in any way I can.

Mr. Ferlo:

As you pointed out, and maybe it's not that well known, the number one cause for personal bankruptcy last year in the United States was catastrophic health care illnesses.

So, again, come out on Saturday. 255-2140. Thank you.

The Chair:

Thank you.

Mr. Ricciardi presents

No. 890 WHEREAS, The Brashear Association has provided vital human services to South Pittsburgh communities since 1917; and,

WHEREAS, the Brashear Association has always depended upon the dedication, commitment, and services of countless volunteers drawn from the communities it serves; and,

WHEREAS, every program of the Brashear Association benefits by the contribution and volunteers; and,

WHEREAS, every Brashear Association volunteer plays an important and unique role in the total growth and vitality of the agency and the communities it serves.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize and applaud the commitment and service of its volunteers to the Brashear Association and the communities it serves.

Mr. Ricciardi moved to adopt the resolution.

Mr. Onorato seconded the motion.

Which motion prevailed.

The Chair:

Members of Council, we have one final resolution to be presented and it's a very important resolution.

I would like to ask the following people to please step forward. Mr. Paul Crouch who is the founder of an idea that this resolution covers which is "It Pays To Read". In addition to Paul, I'd like Sandy Marrotti, the Publisher of The

Mount Washington Tribute, and her son, Michael, to step forward. Peggy Butcher, the Editor of The Mount Washington Tribute; Sarah McGough, the Branch Manager of Integra Bank in Mount Washington; and Jim Dever who is also here with us.

The Chair presents

No. 891 WHEREAS, "IT PAYS TO READ" is an innovative and exciting program designed to encourage young children to develop a lifelong habit of reading, and;

WHEREAS, "IT PAYS TO READ" was the idea of Mr. Paul Crouch, a retired executive from Alcoa and former Chairman of the Board of Trustees for The Brother's Brother Foundation and a resident of Mt. Washington; and;

WHEREAS, "IT PAYS TO READ" rewards young children, grades 1 through 5, with a check of \$1.00 for every book they read from the Mt. Washington Branch of the Carnegie Library. The children give a brief book report to a Friends of the Library volunteer, and then checks are written in the child's name and they are encouraged to cash their earnings at a bank to learn about commerce, and;

WHEREAS, Mr. Paul Crouch provided the seed money of \$500.00 and a matching amount to get the program started and businesses, community groups and individuals followed with additional contributions. Integra Bank, Parkvale Savings Bank, the Mt. Washington Chamber of Commerce and the Lions and Lioness Clubs of Mt. Washington are sponsors of the "IT PAYS TO READ" program, and;

WHEREAS, the Committee Members of the "IT PAYS TO READ" Program are: Paul Crouch, Honorary Chairman, Sandy Marrotti, Publisher of The Mt. Washington Tribute, Chairwoman; Sarah McGough, Integra Bank

Branch Manager, Treasurer, Peggy Butcher, Editor of the Mt. Washington Tribute, Secretary, Nancy Jessup, Head Librarian, Program Advisor, Gil Lancia, Mt. Washington Chamber of Commerce Representative and Sue Plummer, Volunteer Coordinator, and;

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend and congratulate Mr. Paul Crouch and the "IT PAYS TO READ" Committee, sponsors and volunteers for their innovation and dedication in encouraging young children to discover and wonderful world of reading.

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh in recognition of this unique program does hereby proclaim Saturday, May 30, 1992 as "IT PAYS TO READ DAY" in the City of Pittsburgh.

Mr. Milliones moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed?

The Chair:

Members of Council, ladies and gentlemen, my assistant, Mike Brady, told me about this program. He lives in Mount Washington and his daughters have participated, and the more we talked about it, the more we thought it was a fantastic program because we all know that if you can't read in this society, you are in trouble. If you can't read, you can't get a job, generally speaking. If you can't read, you can't pass a message on to a loved one, a member of the family, on the refrigerator.

To read is very, very important and we all know how many people in our society cannot read. So, it's critical that young people are

encouraged to learn to read and really this program I can't commend all of you enough because it really is an innovative idea to get young people involved.

It started here in Mount Washington. We would like to see it continue at all branch libraries in the City of Pittsburgh and it is my hope by this resolution and Council's support that that will happen. Maybe even somehow Council can become involved at budget time in this program because this truly could be a program where minimal dollars that are invested could save our society, our City, volumes of dollars later by helping young people.

So, I commend all of you for this program. It's a great idea and we're honored to present this resolution.

Paul, we'd like you to elaborate on it a little bit.

Mr. Crouch:

Thank you very much. We certainly appreciate the commendation of the Council.

The Ford Foundation has an interesting way of handling requests. If they have one that they aren't going to give any money to, they never say no, of course. But they say, "We have nothing but praise for your project." We are delighted to have the praise of the Council here, and we're not seeking your money but we wouldn't refuse it if you wanted to offer it.

When I worked for Alcoa for about 40 years I was involved in dealing with businessmen and I had this situation of trying to define the difference between a conservative businessman and a liberal one. I resolved the thing by discovering that the conservative said, "I never want to try anything new at all, ever." And the liberal one would say, "We want to try to do

something, but not now." And when I got involved in being in Harrisburg and Washington, I learned that kind of a rule of politics was namely that you have to learn how to count. It's called one vote plus one vote plus one vote, and if you don't get the number of votes you're probably not in politics, you may be in philosophy.

But we approach this matter of reading that the absolute key to the future of this country and society is the learning and the education of kids. I don't know what we're going to do about the generation of 18 to 24 that can't read or write now, but we can do something about the children that are 6, 7, 8 or 9. The most exciting thing in the world is to get kids and people hooked on reading. It's addictive, much more so than any narcotic. If you get excited about books, it will help you throughout your entire life.

We have tried to develop a program which not only says you ought to read books, but put some excitement into it. We don't give them a dollar bill, we give them a check. They take it to the bank and that probably for the first time introduces that child into the world of business, where you get money and this sort of thing.

We also think it's fine to have the youngster talk to a kindly person about the book because we want to make sure they read the book. And if they don't read the book, we know that too, but we don't say, "You didn't read the book" but we rather say, "Let's go over it again and we'll discover what happened in this book."

I don't know how many we will attract, but we want to make it exciting. These marvelous volunteers here are doing it. We have zero overhead. Every dollar we get goes to the kids. We think it's something that's exciting and we think it's something a community should be involved in. My feeling is, the one fellow told me once that you don't sell peanuts at a funeral. We aren't. We're saying that this is the exciting

cutting edge of our society.

We're happy to be here and we're happy to have the words of praise you have for us. Maybe some day we'll come back for money, but I don't think so.

Michelle Madoff:

Jack, I'd like to make a comment. Mount Washington is always innovative. The Library last year, as you know, had some books that the sold for Christmas and the storybook could have the child's name or the person you were giving it to. Our office put out some flyers for you and there was no cost for that either, so all the money could go to help the Library. It is a very innovative library, a very innovative community, and I'll do what I can to help you.

The Chair:

Thank you, Michelle, very much.

Thank you all.

The Chair presents

No. 892 whereas, Point Park College and The Carnegie Library's Downtown Branch and Business Department are engaging in a joint venture plan to occupy the former Bank Center Mall as the Library; and,

WHEREAS, The Library Center project is a national model, one of the first of its kind, where a public and private college library combine to preserve and enhance library resources; and,

WHEREAS, the renovation of the historic Bank Center Mall as The Library Center will be an impetus for revitalization of Wood Street and the Downtown area; and,

WHEREAS, having a strong Downtown Library tied into Point Park College provides an added incentive for the business community to look upon Downtown Pittsburgh as the ideal business location.

NOW, THEREFORE, BE IT RESOLVED, that the Members of the Council of the City of Pittsburgh, on behalf of the citizens of Pittsburgh, hereby recognize and salute Point Park College and The Library Center, and pledge their support to make this project a reality.

Mr. Milliones moved to adopt the resolution.

Michelle Madoff seconded the motion.

Which motion prevailed.

Mr. Cohen presented

No. 861 Resolution authorizing the Mayor and the Director of the City Planning to enter into a Programmatic Memorandum of Agreement with the Pennsylvania Historical and Museum Commission and the Advisory Council on Historic Preservation to allow in-house review by the City of rehabilitation projects located in National Register Historic Districts which utilize federal funds.

Also,

No. 862 Resolution amending Resolution No. 91, effective February 28, 1992 entitled "Authorizing an Amendatory Crawford-Roberts Cooperation Agreement or Agreements providing for the transfer of an amount not to exceed \$325,000.00 to the URA of Pittsburgh to be used for public improvements and providing for the payment of the cost thereof," by increasing the funds to \$500,000.00.

Also,

No. 863 Resolution providing for implementation of a Residential Parking Permit Program (RPPP) Area "U" in the Central Shadyside community pursuant to Pittsburgh Code Chapter 549.

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Darkins presented

No. 864 Resolution amending Resolution No. 602, approved July 21, 1989, effective July 27, 1989, entitled "Granting unto Shadyside Hospital, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, 30 tie-backs on a portion of the right of way of Centre Avenue in the 7th Ward of the City of Pittsburgh.

Also,

No. 865 Resolution authorizing the Director of the Department of Public Works to grant an encroachment permit to the Robert E. & Lee Food Company for the placement of two 30" inch round tables and 4 chairs on a portion of the sidewalk on Copeland Street in the 7th Ward, 8th Council District of the City of Pittsburgh.

Also,

No. 866 Resolution authorizing the Director of the Department of Public Works to grant an encroachment permit to Lori A. Luman for a fence on a portion of the right of way of Crysler Street in the 19th Ward, 4th Voting District of the City of Pittsburgh.

Which were severally read and referred to the Committee on Public Works.

Michelle Madoff presented

No. 867 An Ordinance supplementing the Pittsburgh Code, Title One - Administrative, Chapter 161 - Contracts, Subchapter 161.02 - Competitive Bidding; Exceptions, by placing restrictions on the types of professional service contracts which are exempt from competitive bidding requirements. ---**(SPONSORED BY MICHELLE MADOFF)**

Which was read and referred to the Committee on General Services.

Michelle Madoff moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Ricciardi seconded the motion.

Which motion prevailed.

Mr. Milliones presented

No. 868 An Ordinance supplementing the Pittsburgh Code, Title I - Administrative, Article XI - Personnel, by adding a new Chapter 182 entitled "Additional authorization for Employment in the Bureau of Police" providing for procedures for the employment of certified of experienced police officers.

Also,

No. 869 Resolution authorizing the issuance of tax and revenue anticipation notes in the aggregate principal amount of \$25,000,000.00; providing for the date, interest rate, maturity date, place of payment in respect of the notes; accepting a proposal for the purchase of the notes; providing for the security of the notes; authorizing the proper officers to execute and deliver the notes; authorizing and directing

the preparation, certification and filing of the proceedings with the Department of Community Affairs; appointing a paying agent, registrar and sinking fund depositary; creating a sinking fund; approving a form of note; and repealing inconsistent resolutions.

Which were read and referred to the Committee on Finance.

Mr. Milliones moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Cohen seconded the motion.

Michelle Madoff:

Point of Order. I would have liked to have made my Point of Order before the second.

I believe the bill that was just read into the Record was the bill from the Administration about hiring police and I was a little confused because I just asked Mr. Onorato, whose Committee it is in, whether he was going to waive Rule 8.

Mr. Perry:

There were two bills.

Michelle Madoff:

This is not my bill. I'm a little bit confused. You did read that bill into the Record. Is that the bill you introduced, Mr. Milliones?

Mr. Perry:

Mr. Milliones introduced that bill, right. It comes under Personnel.

Michelle Madoff:

It does not come under Public Safety?

Mr. Perry:

No.

Michelle Madoff:

I was just confused because I was going to ask that one of the bills not -- There's no point in discussing both bills on the same day, waiving Rule 8. But I can always wait on it tomorrow, can't I?

WHICH MOTION PREVAILED.

Also,

No. 870 Resolution providing for the issuance of a warrant in favor of Samuel Howze, Sala Udin Consultants, 511 Herron Avenue, Second Floor, Pittsburgh, PA 15219, in the amount of \$1,000.00 in payment for professional consulting services rendered to Councilman Jake Milliones. ---**(SPONSORED BY MR. MILLIONES)**

Also,

No. 871 Resolution providing for the issuance of a warrant in the sum of \$5,000.00 to Florence T. Osley and Edward C. Milburn, Esquire, 617 Grant Building, Pittsburgh, PA 15219 in full and final settlement of an alleged fall at Chatham Square and Fifth Avenue on or about September 20, 1989.

Also,

No. 872 Resolution providing for the issuance of a warrant in the sum of \$3,000.00 to Duquesne Light Company and David J. Lozier, Esquire, 1212 Manor Complex, 564 Forbes

Avenue, Pittsburgh, PA 15219 in full and final settlement of alleged property damage at or near Strawberry Way and William Penn Way on or about August 14, 1985.

Also,

No. 873 Resolution providing for the issuance of a warrant to Robert Morgan and Vivian Morgan, his wife, c/o Martin Goldhaber, Esquire, in the amount of \$80,000.00 in full settlement of claim for personal injuries to plaintiff, and providing for the payment thereof.

Also,

No. 874 Resolution providing for the issuance of a warrant in favor of Steel Valley Authority in the amount of \$1,295.50 for expenses incurred in connection with lobbying efforts in Harrisburg.

Also,

No. 875 Resolution providing for conveyance by the City of Pittsburgh of certain property, under Act No. 171 of 1984, entitled, "Second Class City Treasurer Sale and Collection Act," effective December 11, 1984.

Also,

No. 876 Resolution providing for conveyance by the City of Pittsburgh of certain property, under Act No. 171 of 1984, entitled, "Second Class City Treasurer Sale and Collection Act," effective December 11, 1984.

Which were severally read and referred to the Committee on Finance.

Mr. O'Connor presented

No. 877 Resolution authorizing the issuance of a warrant in favor of the Church of

Saint Lawrence O'Toole for \$750.00 in payment for additional electrical costs from June 1, 1991 to September 15, 1991 incurred by the City's installation of air conditioning at the Citiparks Senior Program. Garfield/Bloomfield Senior Center located at the Saint Lawrence O'Toole Activities Building.

Which was read and referred to the Committee on Finance.

Mr. Ricciardi presented

No. 878 An Ordinance amending Ordinance No. 2 of 1991, approved January 28, 1992, by amending the Pittsburgh Code, Title One - Administrative, Article XI, Code of Conduct, Chapter 197.02(h), by adding the definition of contractor and removing the definition of consultant; amending Chapter 197.08(c) by removing references to consultant and substituting therein the word contractor; and removing subsection 197.08(c)(4).
---(SPONSORED BY MR. RICCIARDI)

Also,

No. 879 An Ordinance supplementing the Pittsburgh Code, Title One - Administrative, Article VII - Procedures, Chapter 161, Contracts, Section 161.16, Required Provisions in Contracts, by adding provisions to subsection (e) to require contractors to comply with Chapter 197.08(c) of the Pittsburgh Code.
---(SPONSORED BY MR. RICCIARDI)

Which were read and referred to the Committee on Finance.

REPORTS OF COMMITTEES

Mr. Milliones presented

Bill No. 880

Report of the Committee on Finance for May 20, 1992 transmitting sundry resolutions and sundry ordinances to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 797

A Resolution entitled, "Resolution providing for the issuance of a warrant in the sum of \$82,500.00 to Kimberly Moros c/o Gary M. Davis, Esq., her attorney, Davis & Abramovitz, 1034 Fifth Avenue, Suite 400, Pittsburgh, PA 15219 in full and final settlement of an alleged collision between plaintiff and an emergency medical services vehicle of the City of Pittsburgh at the corner of Oakland and Fifth Avenues in Oakland in the City of Pittsburgh on or about October 24, 1988."

Which was read.

Also,

Bill No. 798

A Resolution entitled, "Resolution providing for the issuance of a \$900.00 warrant in favor of Doris Jean Froelicher in settlement of claim for sidewalk damage."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably in law, and were:

Ayes:

Mr. Cohen
Mr. Ferio
Michelle Madoff
Mr. Milliones

Mr. O'Connor
Mr. Onorato
Mr. Ricciardi
Mr. Wagner
(Pres't)

AYES 8

NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 800

A Resolution entitled, "Resolution transferring \$50,00.00 from Code Account 1066, Index Code 106609, Equipment, and \$20,000.00 from Code Account 1068, Index Code 106807, Lien Filing Fees, to Code Account 1063, Index 106302, Miscellaneous Services, Department of Finance."

Which was read.

Also,

Bill No. 801

A Resolution entitled, "Resolution providing for a professional service agreement or agreements with a consultant or consultants for the furnishing, delivery, training, and installation of a computerized cashier system with payment validation, optical scanning, and encoding capabilities for the Cash Management Section, Department of Finance; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 802

A Resolution entitled, "Resolution repealing Resolution No. 1198, Item D, effective December 20, 1991, which authorized the sale of a two story brick house, known as 1106 Montezuma Street, 12th Ward, designated as Block 124M, Lot 237, to Mary Mason and John Mason, husband, for the sum of \$2,000.00."

Which was read.

Also,

Bill No. 803

A Resolution entitled, "Resolution amending Resolution No. 78, Item D, effective February 18, 1991, which authorized the sale of a 2-1/2 story, brick veneer, house situated on a lot 25' x 73.05', located at 7001 Idlewild Street, 13th Ward, Block 124 H, lot 166, to Daniel H. Robinson; for the sum of \$7,500.00."

Which was read.

Also,

Bill No. 804

A Resolution entitled, "Resolution providing for conveyance by the City of Pittsburgh of certain property, under Act No. 171 of 1984, entitled 'Second Class City Treasurer Sale and Collection Act.' effective December 11, 1984."

Which was read.

Also,

Bill No. 805

A Resolution entitled, "Resolution providing for the filing of a petition for the sale of certain property or properties, acquired at tax sales in accordance with Act No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984".

Which was read.

Also,

Bill No. 829

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code of Ordinances, Title Six, Conduct, Article V, Discrimination, Chapter 651-Findings and Policy-by supplementing subsection 651.01 to include familiar status, handicap and disability; by supplementing subsection 651.02 to include familial status; and by supplementing subsection 651.04 to include definitions."

Which was read.

Also,

Bill No. 830

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code of Ordinances, Title Six-Conduct, Article V- Discrimination, Chapter 655-Executive Director, Enforcement Procedure, by amending subsection 655.01(b) to read Executive Director; by supplementing subsection 655.02(c) clarifying time for filing complaint; by expanding subsection 655.04 to add (a) through (f) to clarify the process of complaint review; by amending subsection 655.06(c) and adding (d) through (e) to expand enforcement procedures and damages."

Which was read.

Also,

Bill No. 831

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code of Ordinances, Title Six-Conduct, Article V-Discrimination, Chapter 653- Human Relations Commission. Section 653, by amending subsection 653.01 to read chair instead of chairman; by supplementing subsection 653.05 (a) Powers and Duties to expand the powers of the Commission, and by amending subsections 653.05 (b), (f), and (k) to include familial status as a protected class."

Which was read.

Also,

Bill No. 832

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code of Ordinances, Title Six-Conduct, Article V-Discrimination, Chapter 659 Unlawful Practices by deleting subsection 659.02 (k) as a misprint of subsection 653.05 (k); by expanding subsection 659.03 (a) through (i) to prohibit discrimination on the basis of familial status; by amending subsection 659.03 (j) to clarify religious exemption; by adding subsection 659.03 (k) generally explaining discrimination on the basis of handicap or disability; and by adding subsection 659.03 (l) to generally prohibit coercion or intimidation as an unlawful housing practice."

Which was read.

Mr. Ferlo:

Just to recap, I would like my comments brought forward on the various bills relating to the amendments to the Human Relations Commission.

I do think its important, as Mr. Milliones and others stated, that we have a public hearing possibly in the Fall to once again review the ordinance, especially since in adopting the ordinance today we agreeing to substantial equivalency ordinance pursuant to federal fair housing and HUD guidelines. But I do think we need a public hearing which we're not able to do because of the time constraint and wanting to approve the ordinance today.

There were major changes. The family status was discussed at length and if there are landlords out there following the adoption of this ordinance that have signs up that say, "Children Need Not Apply For A Unit", you better get those signs down.

So, there's important changes to the Code regarding family status, punitive damages awards now up to \$10,000. The Code was changed so that complaints must be filed and there should be final action taken by the Commission and a one-year statute of limitations, and there have been some other changes.

So, I encourage the public especially, financial loan institutions, landlords, anybody who should be concerned about meeting the Code requirements, should call and get a copy of this ordinance from the City Clerk or from the Commission.

But I would ask that my comments be brought forward and that we hold a public hearing in the Fall.

Mr. Cohen:

I'd also like my comments brought forward on the Human Relations bills which I think are 829 through 832.

I agree with Councilman Ferlo that I think

these are good changes, that it puts teeth into the Human Relations Act by allowing for greater penalties and attorneys fees.

It only applies to the area of housing discrimination and I will be looking at whether or not we can apply this same high penalty, higher penalties and attorneys fees, in job discrimination and public accommodations, meaning restaurants and motels. I hope we'll be able to do that in the future.

The Chair:

I'd like my comments brought forward on those bills also.

(REMARKS ON FOLLOWING PAGES)

(BEGINNING - MESSRS. FERLO, COHEN AND WAGNER'S COMMENTS ON BILL NOS. 829, 830, 831 & 832, WEDNESDAY, MAY 20, 1992)

Mr. Ferlo:

I have a few specific questions but maybe the Commission could just provide an overview of what we're being asking to approve today and why we're being asking to approve this so quickly.

Dir. Harris:

As you know, the Commission is currently certified by the Department of Housing and Urban Development to receive complaints of discrimination and we also receive federal funds for the enforcement of fair housing law. The new Fair Housing Act of 1988 requires that all state and local agencies bring their enforcement law up to be substantially equivalent to the Fair Housing Act.

As some of you already know, we have until September 13th to do that. We have been working on having our law amended. We also submitted a proposed amendment to HUD for a legal analysis back in December. We received a reply where there were some deficiencies in our law. Our counsel has been working on it very hard, even as late as April 30th, he attended a working session where HUD went over our housing law section by section to make sure it was equivalent to theirs. Our legal counsel rewrote the amendment, it was brought before the Commission and it was approved there and there are some changes that we must do in order for the citizens of the City of Pittsburgh to receive the same remedies in fair housing that all citizens have had. And there are three sections in which these changes are and that is in our procedure, in our enforcement powers and in our remedies.

Mr. Ferlo:

The proposed ordinance that you have submitted is completely changed and will be codified into the city law and whatever is written to date in the Code will be extracted out. In other words, the language that you have submitted doesn't add, it completely replaces the chapter in the Code, or are you asking us only to add those sections.

Mr. Forrester:

No, it's an amendment to the existing chapters.

Mr. Ferlo:

So the language when we review it is adding to the existing language. You didn't clean it up and switch it entirely.

Mr. Forrester:

We are not giving you completely new chapters.

Mr. Ferlo:

So you didn't go back and actually rewrite -- I guess what I'm basically asking is, when we read what you have submitted by way of ordinance, it's only an amendment to the existing language in the Code.

Mr. Forrester:

It's only an amendment to the existing language in the Code and by and large is only taking that which is already federal law and that which is now already state law and bringing the City Code into compliance with those two.

Mr. Ferlo:

On the adding of family status for protected class, does that only relate to housing or does that also relate to employment in public accommodations.

Mr. Johnson:

It's only housing.

Mr. Ferlo:

What does that mean concretely? Are we talking about a situation, a young person goes to rent an apartment and let's say it's a female and she has two children and she's denied because of some perception that the person doesn't want to rent to her because she has children.

Mr. Johnson:

That's basically it. It protects families from discrimination.

Mr. Ferlo:

I'm trying to get you to expand here so the public understands what's different now in accepting this since we're not going to have a public hearing.

Mr. Johnson:

Let me give you some background. HUD back in 1988 revised its fair housing lawyers in order to afford more protection to citizens across the land and it felt so strongly about it but it also revised a procedure by which the case would be processed

speedily. So when the Executive Director said that there would be a change in procedure, we shortened the time in which someone from the time they file a complaint to the time that there's a final disposition. Unlike in other types of cases that the Commission handles in terms of employment sometimes can go on for a substantial period of time but once a fair housing complaint is filed, the Commission has ten days in which to notify the respondent for a response. After that time the Commission must do all of its investigation within 100 days and there must be a final disposition of a complaint within one year. The reason for this is that housing is so crucial to all of us. Sometimes you can get by without having a job but if you don't have a roof over your head, you're in dire straits.

Mr. Ferlo:

So the one year statute of limitations is not necessarily the point in which somebody goes to the Commission and files. It's the total period of time in which they file and the Commission reviews and renders a decision.

Mr. Johnson:

That's correct.

Mr. Ferlo:

What is the actual time period in which somebody has to file?

Mr. Johnson:

You must file within one year from the discriminatory practice.

Mr. Ferlo:

And at the point in when they then file, the Commission must render a final disposition within one year.

Mr. Johnson:

You asked me about the familial status. It's common practice that sometimes regardless of what the family make up may be, whether it's a married couple with no children or a married couple with children, a single parent with children or whether it's someone because of sexual orientation, as long as it's one or more persons -- we had someone who was 18 years and younger and that's considered a family unit. The only thing I'll tell you is that it does not apply to those who are 62 years of age or older because there would be a conflict there and there are other provisions providing housing for older persons.

From the familial status you can't discriminate based upon the family makeup and it's historically recorded and statistically recorded that there is discrimination based upon family makeup and under the Federal Act they are assuring all of the citizens throughout the land that there will be no discrimination upon that basis. HUD has required us to bring ours into compliance in order for us to continue to get funding. If our act is not going to comply, it will mean that the only options that the citizens of Pittsburgh have is to go either to HUD directly or to the State Human Relations Commission but we all know that both HUD and the State have a substantial backlog of cases and we are trying to afford our citizens fair housing by complying with the mandates of HUD.

Mr. Ferlo:

The reason why I asked you to explain further the family status issue is I don't know about statistics but I know for a fact just based on my experience that that is clearly -- there is a large percentage of discrimination especially against women with children as it relates to rental units especially in the city more so than even the suburbs and it's not atypical for a phrase "no dogs, cats and children" and that has been the case in the city that disproportionately affect some versus the others. So I think this is important for the public and others listening to understand that this is indeed something different and a major progressive advancement to the Code as it relates to what we're adopting and what the powers and the prerogatives of the Commission are going to be. What will the Commission do to affirmatively communicate this out to the community and to the landlord community in particular?

Mr. Johnson:

I believe the Commission already does advertise.

Ms. Harris:

Yes. Right now we are advertising but once this law is passed then we will continue our advertisement to make sure that the public is aware that now they are protected.

Mr. Ferlo:

Since most landlords pay a business privilege tax on their income, is there a way -- have you ever thought of doing a targeted mailing through the Finance Department to landlords in the city about this issue?

Ms. Harris:

This can be done and I think it sounds like a very good idea that we do this.

Mr. Johnson:

It doesn't apply just to landlords, it applies to also the sale of housing, the financing of housing, the mortgages, the listing of housing. It goes across the board anything to do with housing so it's not directed to landlords.

Mr. Ferlo:

But I think in each one of those instances you can point to real estate groupings, the banking community, loan officers, the gamut of people that are going to be affected by this. I think we need to do more to make people understand what this law is now.

Mr. Johnson:

You also receive funding from HUD to do advertising; isn't that correct?

Ms. Harris:

Yes, that's right. In the past two years we have received approximately \$75,000.00 from HUD to promote fair housing in the City of Pittsburgh.

Mr. Ferlo:

Two other questions and I'll close.

When I reviewed this, the issue of subpoenas have come up now. Is this something new that now under this the HRC would have the power to issue subpoenas during investigations? Did you not have that in the past?

Mr. Forrester:

We have had it in the past. The language is a little different here.

Mr. Johnson:

The language was added because HUD wanted it specifically in there in order to pass it but we always had subpoena power.

Mr. Forrester:

I assure you that as Chairman I have signed a number of subpoenas.

Mr. Johnson:

I think the only difference was, it was a subpoena for discovery and in the past it was a subpoena to come to the public hearing so that may be the slight difference there.

Mr. Ferlo:

So the subpoena power now covers both discovery as well as attendance at hearings.

Mr. Johnson:

It's discovery to bring documents also to the hearing.

Mr. Ferlo:

The issue of damages, that's something new in this ordinance. What does that mean exactly? This not only covers housing but also public accommodation and employment.

Mr. Forrester:

I think this is the most exciting part of what we're bringing to you in many respects. In the past as most of you know, the Commission could only award compensatory damages. In other words, those monies or remedies which were to actually compensate someone for actual loss, whatever that was. But there was no way to penalize somebody who violated the City Code and willfully violate it, just maliciously violate it, there was no way to deal with that. Moreover, there was no way to give any award to people who had suffered discrimination and experienced humiliation and embarrassment as a result of that process. There was no punitive award in that regard. HUD of course is now requiring that each of its contract agencies, the City Commission being one of those, the Pennsylvania Commission being another, etc., be able to award damages which can be either to the complainant for humiliation, embarrassment or they can be in the form of civil penalty and they're fairly stiff. They can be up to a combined \$10,000.00 for a first offense, up to a combined \$25,000.00 for a second offense in five years and up to a combined \$50,000.00 for a third offense in seven years, and I am saying up to it. It is not automatic that anybody who has violated the Ordinance will be fined or will have humiliation and embarrassment damages awarded. But there is then this discretion within the Commission to make these sort of awards. Put some teeth into the Ordinance. Many of you are familiar with some of our cases that hit the media and in many cases there is truly long-term willful discrimination very consciously done, maliciously done and at this point all the Commission can do is award compensatory damages and that's often a very small insignificant amount to vote.

Mr. Ferlo:

Can any of this money not only be damages to the individual who filed the complaint but I didn't quite understand the phrase you used.

Mr. Forrester:

It can be a civil -- in other words, we can fine.

Mr. Ferlo:

So theoretically if you have a situation the Commission can begin to recoup monies which could go into an education fund to help pay for the advocacy activities of the Commission. Who will spell that out? Who will spell out those procedures? Who decides on this issue of damages what the damages will be? Will we define some procedures that will be specific to each incident?

Mr. Johnson:

You're saying once it gets to a hearing who decides what the damages will be?

Mr. Ferlo:

And whether or not some of it will come to the Commission or go to the --

Mr. Johnson:

-- that is not spelled out in the way the Ordinance is written.

Mr. Ferlo:

Who spells that out, the Commission?

Mr. Johnson:

The Commission, but if I'm understanding your question correctly, if a fine is assessed you want to know where the money would go.

Mr. Ferlo:

Who is going to define that?

Mr. Johnson:

It depends on what body comes before. If it comes before the Commission, then the Commission will decide. If it goes

before the Court, then the Judge will decide what the fine will be. Like Randy stated, it goes up to a certain amount but it would be within the discretion of the deciding body as to what that amount would be. Once that decision is made then, it's our position that the money would come to the Commission's fund.

Mr. Forrester:

The deciding body is the full Commission. While, for example in a public hearing which is --

The Chair:

-- you answered the question, can we move on?

Mr. Cohen:

Good morning everyone. I also want to thank you for keeping me apprised as to what is happening with this law. Because we don't have an opportunity for a great deal of public discussion, I just want to ask you some questions about the bills themselves.

Bill No. 829 seems to mostly be a definition bill -- Mr. Johnson, I think I'll direct my questions to you.

It's Section 651.02 is where it starts -- "Separation of Power" and then it seems like there are a lot of definitions that follow that. The only one there that I have a question on because Councilman Perlo asked some of the questions that I was going to ask is on housing for older persons. Mr. Johnson, if you could -- I see the definition here and it seems to be an appropriate definition. Explain how HUD changes will affect housing for older persons. What happens in that category of persons?

Mr. Johnson:

I think that's still being developed by HUD because it states in there HUD determines exactly what is housing for older persons but it's to insure that they will not be discriminated against because of their age depending on what the unit is designed for housing for and we still have not gotten those definitions from HUD as to what they're going to designate as housing. That question came up at the session on April 30th also.

Mr. Cohen:

I didn't see anything substantively in the bill.

Mr. Johnson:

It's not yet in the Code of Federal Regulations. It simply states what's there is that the secretary will determine what is housing for older persons. It's the Secretary of HUD.

Mr. Cohen:

The next bill which we have as Bill No. 830 that begins with Section 655.04 in particular is what I have questions about. Councilman Ferlo already asked about the Statute of Limitations which I'm satisfied with. A big change it seems to me with these amendments is the ability to award attorney's fees. I don't think that the Human Relations Commission had that ability in the past.

Mr. Johnson:

No, we didn't. I might add that the State has amended their act in terms of housing as of late December of 1991.

Mr. Cohen:

As I read this now the Human Relations Commission can award attorney's fees to the complainant if the complainant prevails or to the respondent if the person who files a suit was found to have filed in bad faith. That's often defined in different ways.

Mr. Johnson:

I believe it's under the -- it's another federal act where it is tied into Title II which deals with housing by either prevailing party is entitled to attorney fees but we felt that the respondent should only be entitled to attorney fees if there is a showing of bad faith in the filing of the complaint because it would put too much a burden upon the complainant who is often an individual to pay attorney fees and it would have a chilling effect on that person of even bringing the act if they knew that they could ultimately be responsible for attorney fees for the respondent.

I would also like to appraise the Council that in the past six years we've only had one fair housing case go to a hearing. And the provision for an attorney does not come into effect until there is a hearing so it's our experience that most of these cases are settled at conciliation once there is a probable cause of finding and that's also the experience of HUD in that the number of cases that are filed, only about 15 percent you find probable cause and from that it's only a very small number of cases that actually get to a hearing.

Mr. Cohen:

But a court could also award attorney fees under this.

Mr. Johnson:

If there's a showing of bad faith which is a very hard stand.

Mr. Cohen:

The bad faith part is the one I want to make sure the public understands but we also don't want to have a chilling effect on people filing complaints. It's a pretty high standard to say "bad faith". Basically you're doing it to because you've got some kind of vendetta against a person that has nothing to do with discrimination.

Mr. Johnson:

You have to keep in mind, the Commission will still be investigating all of these cases and make a decision if there is a probable cause.

Mr. Cohen:

But if you are discriminated against in the City of Pittsburgh and you bring a complaint, you have to pay an attorney and it goes to a hearing, the other side, the discriminating party, has to pay your attorney's fees.

Mr. Johnson:

That's correct.

Mr. Cohen:

That's a big change and I think it's a very good change.

On the damages, it's right after attorney's fees and they would all be subsections here. It's still under 655.04. I wish I had page numbers here but it says \$10,000.00, \$25,000.00 and \$50,000.00 in damages.

The Chair:

What is your question on it?

Mr. Cohen:

My question on it because I don't think you really even have to see the language. Randy Forrester explained the damages very well. My question is, does this apply to

discrimination against all groups including discrimination on the basis of sexual orientation?

Mr. Johnson:

If that is a family unit, sure.

Mr. Cohen:

These would apply across the board?

Mr. Johnson:

You have to look at how familial status is defined. It says that a child who is under 18 living with --

Mr. Cohen:

-- does that only apply to familial status?

Mr. Johnson:

No. It applies to individuals regardless of sexual orientation.

Mr. Cohen:

Great. Can we, since this only applies to housing and the Human Relations Commission also looks at discrimination in employment and public accommodations at least not other things, do you think that we can introduce legislation to have these kinds of stronger damages for employment and public accommodations?

Mr. Johnson:

I think you would have to go back to the state because you have to remember our authority comes from the State Commission so the State would have to amend their statute in order for us to have that.

Mr. Cohen:

You don't think we can do it here.

Mr. Johnson:

You can do it and have it tested in court but we still don't have the authority from the state. Mr. Ferlo asked about why there is such speed in this but the state only recently enacted theirs at the end of December and so we could not act until that was in effect to change ours, so what you're asking I'd be glad if you would introduce that.

Mr. Cohen:

I think it's something we should consider.

The Chair:

When you say the state, are you referring to the Legislature or are you referring to the Human Relations Commission?

Mr. Johnson:

The Legislature as they have amended the statute for the State Human Relations Commission, that has also been amended and there is a provision in there that states that the local agencies can do whatever the state has enacted and that's how we are able to change ours now because they have changed theirs to bring it into compliance with the Fair Housing Act.

Mr. Cohen:

So if we try to apply these damages to other areas, technically --

Mr. Johnson:

-- I would make the argument that there is also a provision that we can provide equitable remedies which the state has in their act and it could come under that broad clause but it's not specifically spelled out state act.

Mr. Cohen:

Okay.

Mr. Johnson:

I have already discussed that with the City Solicitor who is audience.

Mr. Cohen:

Just two other questions. Assuming that we pass this today and on Tuesday, would this apply to the NALCO investigation or not?

Mr. Johnson:

I think that may be something after the fact. We also state in that part that there's a provision dealing with design and construction that anything -- because this Act should have gone into effect back in 1988 because everybody has been working on it and in talking with the HUD officials, it is our position

that any violations that have occurred prior to our enactment of this amendment would be referred to HUD for enforcement and in fact, since you had mentioned NALCO, HUD is also doing an investigation with NALCO.

I don't think we would have the authority to go ahead and do something that the Council is enacting today and then to apply it retroactive.

Mr. Cohen:

I understand that but HUD does have these damages under their Fair Housing Act. If HUD was one of the prosecuting bodies then it is possible if the allegations against NALCO are found to be accurate that these stronger penalties would apply to them under HUD.

Mr. Johnson:

It's imperative that this gets passed before June 1 and not September. The September deadline is the last date to obtain approval. September 1 is the last date that HUD will consider an amended ordinance for substantial equivalency without having you to go through the whole certification process once again and if we lose certification it means we will lose funding and we do not know when we will be certified again. So we are dealing with a June 1 deadline.

Mr. Cohen:

I think we should vote on this today and I will finish up here so that we can do that.

The last question is on physically disabled. The last bill does discuss that in connection with housing and it seems to say that after March 13, 1991, I suppose maybe after we pass this bill here in Pittsburgh, that landlords or construction companies who build homes that have units would have to build them in a way that are readily accessible to the handicapped.

Mr. Johnson:

That has been a federal law since 1988.

Mr. Cohen:

How does this change that or does it just implement it?

Mr. Johnson:

It gives the Commission authority to enforce it. I don't think we would have the power to enforce something that was built in 1991 but we would again refer that to HUD for

enforcement but once Council passes these amendments we would then have authority to enforce that federal provision which would speed the process up for a handicapped person whose unit didn't meet the federal requirements rather than referring the handicapped person to HUD.

Mr. Cohen:

If a handicapped person wanted to rent a unit and the place was not accessible, it seems to have a provision here saying --

Mr. Johnson:

-- they would have to make reasonable modifications providing that once they leave the unit it will also reimburse the landlord to restore it to its original condition.

Mr. Cohen:

I want to congratulate you on all your work on this. These amendments are really good for the City of Pittsburgh because they give you broader powers and I always felt you needed broader powers to be able to enforce the laws against discrimination and would like to talk to you further about seeing if we could apply some of these things like attorney's fees and damages and greater due process to other areas of discrimination as well.

Mr. Johnson:

I will talk to you afterwards, thank you.

(AT THIS POINT, I WAS TEMPORARILY RELIEVED BY HELEN L. KRIEBEL)

(CONTINUED ON NEXT PAGE WITH NO LOSS OF CONTEXT)

MARY ANNE HRUSKA
STENOTYPE REPORTER

(MESSRS. WAGNER ■ FERLO'S COMMENTS ON BILLS NO. 829-832)
(Wednesday, May 20, 1992)

Mr. Wagner:

Mr. Chairman, I will try and be brief. The fee structures or the penalty structure as suggested here, is that simply the penalty structure that HUD has recommended?

Mr. Johnson:

That is in the Federal Act.

Mr. Wagner:

It is exactly the same dollar level pertaining to the same --

Mr. Johnson:

Which HUD is requiring be a part of our ordinance.

Mr. Wagner:

Has the state government, the Human Relations Commission at the state level, adopted these changes?

Mr. Johnson:

Yes.

Mr. Wagner:

Are they recommended by HUD to do so?

Mr. Johnson:

They are adopted. I have the new Act in my hand and it has been adopted.

Mr. Wagner:

One final question. As it relates to disabled or handicapped, I am reading a section, and I am not even sure the exact section, but if a handicapped or disabled person wanted to move in to, say, a house that was not adaptable to that handicap person, under the changes here, what would the owner of that apartment building or multi-family unit have to do if that handicapped person wanted to participate in making the changes necessary for that living quarter to be adaptable to them?

Mr. Johnson:

I think I understand your question, but it would be incumbent upon the handicapped person to provide the expenses for making the unit accessible to the handicapped person. And there are certain guidelines under what is called American National Institute dealing with how wide a doorway has to be or if you have to have a ramp leading up to it. So that would be your guidelines which would go by those standards, which is also a part of the new ordinance.

Mr. Wagner:

In other words, if I were to create an example, if a living quarter on the first floor were suitable for a handicapped person and all that was needed was a ramp maybe getting into the home, and if that handicapped person wanted to pay for the cost of that ramp, then under the changes in the ordinance, the homeowner, landlord, should be required to make that adaption, based on the handicapped person paying for it?

Mr. Johnson:

Yes. You are asking another question as to the design of it?

Mr. Wagner:

No, not really. I am sure the design would have to meet standards.

Mr. Johnson:

It will be upon the handicapped person to make.

Mr. Wagner:

It does create the vehicle by which that person can live in a quarter where in the past they could have been simply refused?

Mr. Johnson:

That is correct. I just want to repeat, it is under Section 9 of the State Act where it spells out the amounts that you can be awarded. It follows exactly what you have before you today dealing with the penalties.

Mr. Wagner:

Thank you.

Mr. Ferlo:

Did the State Act receive certification for substantial equivalency?

Mr. Johnson:

As of April 30th when I was in a meeting with the HUD officials, they had not yet received.

Mr. Ferlo:

Sure no municipality as well as state even in Pennsylvania has received the certification?

Mr. Johnson:

In Pennsylvania all the local agencies are still starting to try and get this legislation passed now that the state passed it.

Mr. Ferlo:

I guess what I am upset about is I wanted a public hearing on this for a number of different reasons. I have asked about this ordinance update over seven months ago. I realize the Commission has worked very hard and very diligently on this and I applaud your initiative, but I don't like being rushed on this thing.

My question really is recognizing that the state, no other municipality -- in fact, I think there are only a few municipalities in the whole country that have received the certification for substantial equivalency. Why are we being rushed to judgment? I don't see why HUD can't extend it and not say "Well, now we are not going to certify you, now you are not going to receive your HUD housing money."

Mr. Johnson:

That question you have to address to HUD.

Mr. Ferlo:

Did the Commission address that to HUD?

Mr. Johnson:

Yes. They said, "This is the deadline and this is what we are sticking with." If you want further clarification, go to HUD.

Mr. Ferlo:

I don't know that this is a change, but I want to get a clarification on this while I have Commission representatives here, because it came up at budget time.

Mr. Johnson:

What Page?

Mr. Ferlo:

Page 20, Chapter 655. I want to be clear on the chain of command here regarding the Commission's own budget, because there was a concern.

The Chair:

What is your question, Jim?

Mr. Ferlo:

My question basically is recognizing the Mayor actually forwards a proposed budget to Council including the Commission's budget, I want to be clear that if Council approves an appropriation, including a job position, a job title, job amount, salary amount, code account, that that, indeed, is between Council and the independent prerogatives of the Commission. Or is it the case that if we budget a position, the Mayor can chose not to hire that position?

The Chair:

You are out of order. That is not why these folks are at the table.

Mr. Ferlo:

That is part of the ordinance that we are adopting today. It is appointments and duties of the Director, Section 655.01.

Mr. Johnson:

There are no changes made there. You are talking about a proposed budget for operation of the Commission?

Mr. Ferlo:

Answer me this: What is the situation? If Council says we want you to have a housing advocacy coordinator and we are budgeting \$27,000.00, what does that mean in terms of the Commission being able to hire?

Mr. Johnson:

I would respectfully state that I am not prepared to answer that question at this meeting.

Mr. Ferlo:

Can you please provide us a memo on that?

Ms. Harris:

It is my understanding, though, if Council appropriates certain moneys for a position, that it must go through the budget office.

Mr. Ferlo:

That is what I am disagreeing with. That is not what the ordinance says.

Mr. Johnson:

You are asking for legal opinion right now and I am not prepared to give you that today.

Mr. Ferlo:

Conrad, I would like a follow-up memo answering my question.

(End of remarks)

(Transcribed by Helen L. Kriebel, Stenotype Reporter)

The Chair:

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Ferlo	Mr. Onorato
Michelle Madoff	Mr. Ricciardi
Mr. Millions	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 847

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of James E. Rooney, 940 North Lincoln Avenue, Pittsburgh, PA 15233, in the amount of \$640.00 in payment for professional consulting services rendered to Councilman Jack Wagner."

—(SPONSORED BY MR. WAGNER)

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Ferlo	Mr. Onorato
Michelle Madoff	Mr. Ricciardi
Mr. Millions	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bill passed finally.

Also,

Mr. Millions presented

Bill No. 881

Report of the Committee on Finance for May 26, 1992 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 828

A Resolution entitled, "Resolution authorizing the incurring of nonelectoral debt for the purpose of providing funds for refunding purposes, by the issuance of general obligation bonds, in the aggregate issuance amount of \$29,894,645.45; accepting a proposal; providing for maturities and yields; covenanting to pay debt service; pledging full faith, credit and taxing power for the payment of the bonds; appointing a sinking fund depositary; establishing a sinking fund; appropriating the bond proceeds; ratifying prior advertisement and directing further advertisement; authorizing the payment of

expenses; ratifying the preliminary official statement; authorizing approval of the final official statement; adopting a form of bond; authorizing escrow agreements and investments; calling bonds for redemption; authorizing the purchase of a policy of municipal bond insurance; and repealing inconsistent resolutions. (AS AMENDED IN COMMITTEE)

Which was read.

Michelle Madoff:

I would like my remarks on this bill brought forward.

The Chair:

I would also like my remarks brought forward on this.

(REMARKS ON FOLLOWING PAGES)

(BEGINNING - MICHELLE MADOFF'S COMMENTS ON BILL NO. 828,
TUESDAY, MAY 26, 1992)

Michelle Madoff:

Mr. Hayllar, it was kind of you to come and see me in my office awhile ago and explain what had transpired. As you know, I always feel that we put bonds in when I'm not present.

I was at a meeting in Orlando and brought back some interesting information we'll talk about later but you were kind enough to go through the rationale for the bond and I want to be sure I understand it and share some information with you and with Council.

My understanding is that the laws of the land have changed and we have only until June 17th in order to do our transaction so that the cost of the bond will be no penalties and no return to the federal government. This is an unusual circumstance and it is not a usual issuing of bonds. It is not the kind of thing where normally we get 20 minutes to vote because it's planned that way, this in a sense really happened. I do have a question for you. How long ago did you know this was going to happen?

Dir. Hayllar:

Probably the Thursday or the Friday prior to last week.

Michelle Madoff:

Genuinely this was the first time in Council you had to rush something through in order to meet a deadline that would indeed save the taxpayers money.

Dir. Hayllar:

Somebody at this table suggested that we were one step ahead of the law.

Michelle Madoff:

I heard Dan Cohen say that on the tape because I have the tape recorded and listened to the tape myself. There may be some truth to that. I think it's being done legally but when they find out they may close that loophole too in any event by June 17th so it doesn't make any difference.

For those Members of Council who were not here at the time, I think it was Dick Caliguiri's second term in the first year he raised taxes 20 percent and at that point we went out on a big capital improvement and we had to issue a bond and refinance our debt and at that time it was \$190 million and like all reissuance of the right things to do because they save the City

lots of money and this reissuance will save ten percent of the cost of the previous bonds.

Dir. Hayllar:

Actually it's 11.3 percent.

Michelle Madoff:

It's a huge sum of money.

Dir. Hayllar:

\$3,162,480.00.

Michelle Madoff:

And what we're really doing here is lowering the interest rate from seven or nine percent collectively to --

Dir. Hayllar:

-- six and one quarter percent.

Michelle Madoff:

I'm not sure it's a good figure and I say that -- what is the amount of the bond?

Dir. Hayllar:

It's 29.8.

Michelle Madoff:

It's 29.5.

Dir. Hayllar:

The final issue will be 29.8.

Michelle Madoff:

How many years?

Dir. Hayllar:

To the year 2,010.

Michelle Madoff:

This is not a anticipation note.

Dir. Hayllar:

No. This is in essence a general obligation.

Michelle Madoff:

It was no competitive, it was negotiated.

Dir. Hayllar:

That's right.

Michelle Madoff:

Presumably because you had so little time to review all the great big bonds who basically a G.O. is a boiler plate that could have come in over night and given you -- it's only a matter of getting the lowest figure. The State of Pennsylvania mandates that all G.O.'s will be competitive unless otherwise indicated by a vote of the body that has to vote. Now I find it fascinating that while I was gone and I understand from Jack when I listened to the tape that it was in the previous bond that you issued and it was sort of new language. It says, "After considering the advantages and disadvantages of a public sale of the bond, the City Council hereby determines that a private sale by negotiation is the best financial interest of the City." I don't recall that coming to Council, I don't recall Council ever voting on that; do you Mr. Ferlo?

Mr. Ferlo: Yes.

Michelle Madoff:

We had this come to Council?

Mr. Ferlo:

It was in the previous language.

Dir. Hayllar:

It's in boiler plate from virtually all of our bond issues.

Michelle Madoff:

But we do not take a separate vote until we actually go to issue the bond, that is correct, is it not? There was no time when you decided to go out on a previous bond, this one we're agreeing that there were unusual circumstances but on the previous bond did you come to us months before and say we're going out on a bond and we don't want to go out on a G.O. --

The Chair:

-- Ms. Madoff, we are not talking about previous bonds, we're talking about the bill before us.

Michelle Madoff:

The bill before us is being negotiated when all G.O.'s should be competitive --

The Chair:

-- do you have specific questions about the particular bill before us?

Michelle Madoff:

I'm asking a question. The question is, did you come to this Council and say we have deadline of three weeks and I'd like an emergency meeting or did you do it on the bond before when you had plenty of time to say I'd like Council to give us a waiver from a competitive bid to a negotiated bid and the reasons why?

Dir. Hayllar:

I spoke to every Councilmember privately who was in the city and told them what the situation was with the IRS and explained what we were doing, presented it in writing and another explanation prior to presenting the legislation and waiving Rule 8 and discussing it last Wednesday.

Michelle Madoff:

I submit having being here 14 years that never ever should we go to a negotiated bid, we should always be competitive. A G.O. is only a boiler plate and there is absolutely no reason to do it any other way even within the short time frame.

Dir. Hayllar:

We disagree.

Michelle Madoff:

I know we do. I have introduced a bill today which will up in the near future but since the Chairman doesn't want me to discuss the issue, I don't want to get ruled out of order, I wanted to point out that I have introduced a bill and I will waive Rule 8 tomorrow which all of my colleagues --

The Chair:

-- you're out of order.

Michelle Madoff:

I know. And we will then discuss the issue of never again having this kind of back door approach to getting us to go for a negotiated bid as opposed to a competitive bid and hopefully we'll deal with it starting tomorrow.

I understand while I was gone that Mr. Ferlo said that I continually argue for negotiated and then vote for the competitive because when you have 20 minutes and you are going to cost the City \$3 million, I'm certainly not going to vote because I've been manipulated into a situation against the best interests of the public.

Mr. Ferlo:

I argued against that and I voted no because it's consistent.

Michelle Madoff:

You can't cost the City \$3 million.

Mr. Ferlo:

I don't agree with you. You belabor a point for hours and then you vote the other way.

The Chair:

May we limit the discussion to Bill No. 828.

Michelle Madoff:

Barbara, the rate is 6.25?

Ms. Bisgaier:

That's what's called the true interest cost which is a weighted average of all the interest rates on each maturity.

Michelle Madoff:

And that is how the tracking agencies keep track of it as well.

Ms. Bisgaier:

That's right.

Michelle Madoff:

The blue sheet which is similar to the blue book that the automobile industry has and the blue list comes out every day?

Ms. Bisgaier:

Yes.

Michelle Madoff:

And on the blue list is there -- is this Triple A insured?

Ms. Bisgaier:

Yes.

Michelle Madoff:

And in essence forgetting that we're refinancing, we're actually issuing a bond. Forget what we're using it for, it just happens that we're paying off old debt but it could have been used for bridges or could be used for anything we agreed on so it's a bond that we've gone out for in a negotiated manner and the interest on it is 6.25. Will there be anything in the country anywhere else at Triple A insured?

Ms. Bisgaier:

Pligit.

Michelle Madoff:

Not AMPAC?

Ms. Bisgaier:

Not AMPAC.

Michelle Madoff:

That doesn't matter. They don't insure you unless you're good anyway. Will there be anything less than 6.25 today?

Ms. Bisgaier:

Well, 6.25 is an average. The blue list doesn't record averages. The blue list records specific rates for specific bonds. For example, they may have a city of Harrisburg insured

1995 maturity and it will have an interest rate associated with it and it won't be 6.25.

Michelle Madoff:

Let me rephrase my question and make it simple for everybody. Comparing apples and apples, what is the interest rate on this bond for \$29,500,000. We're going for \$29,500,000, right?

Ms. Bisgaier:

It's \$29,800,000. If you'll notice there's an asterisk next to that and you don't know the final precise number until the interest rate is set.

Michelle Madoff:

So on this bond that is insured triple A that's going to be listed in the blue list today, what is the actual interest rate for getting the fact that you've compounded it or figured out what the average rate would be so that we compare apples and apples? How would it be listed on blue sheet today?

Ms. Bisgaier:

Each different maturity that you see there on the cover has a different interest rate. The lowest interest rate --

Michelle Madoff:

-- which one would be listed on the blue sheet?

Ms. Bisgaier:

Any particular one maturity could be listed on the blue list.

Michelle Madoff:

How do you compare them with apples and apples?

Ms. Bisgaier:

If you were to have the 1992 maturity listed and you would compare that to another 1992 maturity of a comparable issue, in this case the interest rate is four percent for 1992. It ranges from a low of 4 percent in 1992 to a high of 6.75 percent in 2,010.

Michelle Madoff:

So if you bought the long-term bond you'd get 6.75 tax free back.

Ms. Bisgaier:

Right.

Michelle Madoff:

And if you were using the long range -- it's a 30-year bond?

Ms. Bisgaier:

No, it's 18 years.

Michelle Madoff:

So if you were to look at a comparison 20 year bond comparable with the same amount of money going out and looked on the blue list triple A insured, would there likely to be anybody on the long term of 30 years under 6.75?

Ms. Bisgaier:

Maybe in the State of New York or the State of California because they have higher personal income taxes so people -- there's more demand for those bonds. I'm sorry, I spoke the other way around. For other places that have lower personal income taxes than Pennsylvania, the rates might be higher.

Michelle Madoff:

But if it's Triple A insured the bonds are guaranteed to refund the money.

Ms. Bisgaier:

That's right.

Michelle Madoff:

And therefore if we were to look at other states comparable to ours that may have issued bonds within this window -- if you take within a week or so you have a pretty good window.

Ms. Bisgaier:

Right.

Michelle Madoff:

If I see anybody in that kind of bond say over the long term of 30 years at 6.5, 5.5., I'd be a little bit concerned and I would like to get a hold of that. Now I asked for that the last time and never got it and I don't subscribe to any of the tracking services on a personal basis but I could call some of the bond houses and have them check on it for me which I don't think should be necessary and that's something that Council ought to subscribe to and we ought to get our own bond counsel to be able to advise us and be able to interpret and we are looking at doing that.

(END OF COMMENTS)

PREPARED BY: MARY ANNE HRUSKA
STENOTYPE REPORTER

(BEGINNING - MR. WAGNER'S AND MICHELLE MADOFF'S COMMENTS ON BILL NO. 828, WEDNESDAY, MAY 20, 1992)

Mr. Wagner:

Director, what is the total debt of the stadium presently?

Dir. Hayllar:

Do you mind if I call in reinforcements?

Mr. Wagner:

Please do.

Dir. Whitmer:

The total debt of the Stadium -- is about 20. The loan to the Pirates that we did back in 1986 was about 20 to 21 and we have outstanding on the stadium structure and the improvements that were made in 1982 was at \$29 million.

Mr. Wagner:

So we have total debt minus this of only \$20 million for the entire stadium?

Dir. Whitmer:

Actually, the \$20 million is debt of the Stadium Authority guaranteed by the City but it was not used in the building of the stadium, it was part of the loan to the Pirates that we did six years ago.

Dir. Hayllar:

This is not that.

Mr. Wagner:

How about the original debt of the stadium?

Dir. Whitmer:

That is what we're talking about here. It's \$29 million and it's a combination of the original debt and a bond issue that was done in 1982 for improvements.

Mr. Wagner:

We have former Councilman Stone in the audience and he probably recalls some of those bond issues.

So our total debt on the stadium today is approximately \$50 million. If we take the stadium debt that we're presently proposing to do here of approximately \$29 million and make that part of the general obligation debt of the City, the remaining debt on the stadium which really includes the Pirates and our ownership in the Pirates, total debt completely is \$20 million.

Dir. Hayllar:

Yes, if you look at it that way.

Mr. Wagner:

That's less than I thought. I'm glad to hear that. Does this create the potential then that in the future we could incur greater debt at the stadiums for enhancements of the structure itself?

Dir. Hayllar:

You can always do that because from the point of view of the purchaser of the bonds, we are the stadium. The bonds are sold with a good faith in credit of the City of Pittsburgh.

Mr. Wagner:

Okay. Now how long have you been considering doing this bond issue?

Dir. Hayllar:

We have been working on this for seven or eight months without a satisfactory solution to the transfer of proceeds penalty problem. That solution came only within the last week and the IRS opinion came days later. So while we're standing around patting ourselves on the back for solving the problem, the IRS gave us word that we better do it fast or we're not going to be able to achieve any savings.

Mr. Wagner:

Have you given Council any interpretation of what the IRS did?

Dir. Hayllar:

No, other than the generic language in my memo of the 19th.

Mr. Wagner:

I'd appreciate it if you would do that prior to us finally voting on it.

Dir. Hayllar:

Fine.

Mr. Wagner:

In reviewing the proposed agreement approval of private sale and acceptance of proposal, I notice some language in here that to my knowledge I haven't seen previously and it states under Section 1. "After considering the advantages and disadvantages of public sale of the bonds, the City Council hereby determines that a private sale by negotiation is the best financial interest of the City. The proposal presented to this meeting by the purchaser is hereby accepted. The bonds are hereby awarded to the purchaser at a negotiated rate at a price stated..." so on and so on.

Dir. Hayllar:

I believe it has been in our other language.

Mr. Ferlo:

Is that a DCA requirement?

Dir. Hayllar:

Yes, it's somebody's. DCA may well be the answer, it may well be another agency.

Mr. Wagner:

My final question is, in regard to the rating agencies and how they view all this, this obviously incurs a greater total debt for the City. Does this in any way subject our rating by the rating agencies such that it could lower the rating because we do have a greater debt?

Dir. Hayllar:

We don't believe so. If there is an there it would be over general economic factors. We will be seeing the rating agencies this summer to deal with those issues. We don't expect our rating is at risk since it was only raised a year ago.

Mr. Wagner:

In the summation of the Stadium Authority total debt and I'd appreciate it if you can provide that to us on paper. Could you give us the same on the City of Pittsburgh's total debt?

Dir. Hayllar:

Certainly. You have that in the debt policy book I sent up some time ago. It's the pumpkin-colored thing. All those are listed but I'll get you another copy.

Mr. Wagner:

Again, just a clarification. Earlier you stated you will be coming forth with either a short term note or a general obligation issue some time soon, when would you anticipate that?

Dir. Hayllar:

A note with legislation probably within a week and attached to that of course will be the capital projects that that would fund and that would be replaced by a general obligation bond at a later point in the year.

Mr. Wagner:

Finally, again on this negotiated versus a bid process and I know if Councilwoman Madoff were here she'd be --

Mr. Onorato:

-- I hear her screaming.

Mr. Wagner:

She may be on the phone right now. Does the tight time frame involved here, and you stated June 17th has to be done by the window of opportunity, does that eliminate the possibility of a competitive bid?

Dir. Hayllar:

I think it does because you would not know who your underwriters are and they may not be competent to sell bonds. These are zero coupon bonds predominately and you want an underwriter with a vast retail outlet because those are the people who buy them as opposed to an institutional outlet. Kidder Peabody, one of the primary underwriters, has that retail outlet nationally so you want to pick your people carefully because of their expertise and their ability to sell. Not every underwriter sells to the same type of buyer, not every underwriter has the same reach. I think we've met that along with a 25 percent minority business requirement but with a strong team. You would want to pick those.

Mr. Wagner:

Have we picked some of best people here?

Dir. Hayllar:

I believe so.

Mr. Wagner:

Thank you.

(END OF COMMENTS)

PREPARED BY: MARY ANNE HRUSKA
STENOTYPE REPORTER

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Ferlo	Mr. Onorato
Michelle Madoff	Mr. Ricciardi
Mr. Milliones	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Cohen for Mr. Darkins presented

Bill No. 882

Report of the Committee on Public Works for May 20, 1992 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 783

A Resolution entitled, "Resolution authorizing the Director of the Department of Public Works to grant an encroachment permit to the Bedcliff Associates for the installation of two canopies over a portion of the sidewalk area at 1821-1823 Bedford Avenue in the 3rd Ward, 6th Council District of the City of Pittsburgh."

Which was read.

Also,

Bill No. 784

A Resolution entitled, "Resolution authorizing the Director of Public Works to grant an encroachment permit to Bedcliff Associates for installation of a canopy over a portion of the sidewalk at 815 Cassatt Street in the 3rd Ward, 6th Council District of the City of Pittsburgh."

Which was read.

Also,

Bill No. 785

A Resolution entitled, "Resolution authorizing the Director of the Department of Public Works to grant an encroachment permit to Central Hill Associates for five canopies over a portion of the sidewalk at 2-4-6-8-10 Roberts Street in the 3rd Ward, 6th Council District of the City of Pittsburgh."

Which was read.

Also,

Bill No. 786

A Resolution entitled, "Resolution authorizing the Director of the Department of Public Works to grant an encroachment permit to Central Hill Associates for a canopy over a portion of the sidewalk at 75 Roberts Street in the 3rd Ward, 6th Council District of the City of Pittsburgh."

Which was read.

Also,

Bill No. 787

A Resolution entitled, "Resolution authorizing the Director of the Department of Public Works to grant an encroachment permit to Central Hill Associates for a canopy over a portion of the sidewalk at 256 Dinwiddie Street in the 3rd Ward, 6th Council District of the City of Pittsburgh."

Which was read.

Also,

Bill No. 788

A Resolution entitled, "Resolution authorizing the Director of Public Works to grant an encroachment permit to the Bedcliff Associates for three canopies over a portion of the sidewalk area at 1836-1838-1840 Arcena Street in the 3rd Ward, 6th Council District of the City of Pittsburgh."

Which was read.

Also,

Bill No. 789

A Resolution entitled, "Resolution authorizing the Director of the Department of Public Works to grant an encroachment permit to Bedcliff Associates for a canopy over a portion of the sidewalk of 809-811 Ledlie Street in the 3rd Ward, 6th Council District of the City of Pittsburgh."

Which was read.

Also,

Bill No. 790

A Resolution entitled, "Resolution authorizing

the Director of the Department of Public Works to grant an encroachment permit to Bedcliff Associates for six canopies over a portion of the sidewalk at 714-716-718-720-722-724 Manilla Street in the 3rd Ward, 6th Council District of the City of Pittsburgh."

Which was read.

Also,

Bill No. 791

A Resolution entitled, "Resolution authorizing the Director of the Department of Public Works to grant an encroachment permit to Bedcliff Associates for a canopy over a portion of the sidewalk at 15 Manilla Street in the 3rd Ward, 6th Council District of the City of Pittsburgh."

Which was read.

Also,

Bill No. 792

A Resolution entitled, "Resolution authorizing the Director of the Department of Public Works to grant an encroachment permit to Ernest Ceraso for a fence on a portion of the right of way of Redoak Way in the 19th Ward, 2nd Voting District of the City of Pittsburgh."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Ferlo	Mr. Onorato
Michelle Madoff	Mr. Ricciardi
Mr. Milliones	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Cohen presented

Bill No. 883

Report of the Committee on Planning, Housing and Development for May 20, 1992 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 777

A Resolution entitled, "Resolution amending Resolution No. 67, effective February 21, 1990 entitled 'Providing for an Agreement or Agreements with the Hunger Services Network for the provision of administrative assistance in carrying out hunger related programs of the 'Hunger Task Force' in an amount not to exceed \$10,000.00,' so as to reduce the amount appropriated to \$3,464.07 (-\$6,535.93)."

Which was read.

Mr. Ricciardi:

Mr. President, on Bill No. 777 I will be voting no. I cannot in good conscience vote for a bill that's reprogramming in excess of \$6,000 that

was originally directed towards a hunger program into a volunteer parks maintenance program. I feel very uncomfortable with that. I realize that this certain project did not need the money; however, that money could have been redirected into other programs that we fund here in the City of Pittsburgh to feed the hungry. So, I cannot support Bill 777.

Also,

Bill No. 778

A Resolution entitled, "Resolution amending Resolution No. 294, effective April 13, 1989, entitled 'Providing for an Agreement or Agreements with the 31st Ward Citizens Council for general site improvements for low-moderate income families, at a cost not to exceed \$10,000.00,' so as to reduce the amount appropriated to \$6,202.89 (-\$3,797.11)."

Which was read.

Also,

Bill No. 779

A Resolution entitled, "Resolution Amending Section 11 of Resolution No. 1267 of 1977, as previously amended by Resolution Nos. 483, 829, 999, and 1563 of 1978; by Resolution Nos. 252, 308, 590 and 706 of 1979; by Resolution Nos. 352, 448 and 1191 of 1980; by Resolution Nos. 560, 888, and 1363 of 1981; by Resolution Nos. 418 and 911 of 1982; by Resolution Nos. 98, 286 and 1015 of 1986; by Resolution No. 192 of 1989 and by Resolution No. 141 of 1990 entitled 'Providing for the filing of an application by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1978 Community Development Block Grant Program,' by reprogramming funds (\$2,029.89) from City Council "Unspecified local Options" to

the Parks & Recreation Department and creating a new line item."

Which was read.

Mr. Onorato:

I'd like my comments brought forward on Bill Nos. 777, 778 and 779.

(REMARKS ON FOLLOWING PAGES)

(BEGINNING - MR. ONORATO'S COMMENTS ON BILL NOS. 777, 778 AND 779, WEDNESDAY, MAY 20, 1992)

Mr. Onorato:

I have question for Director Downing.

I was briefed on where the funds are coming from, what years and where they are going. My general question is, I really have two questions. One, do we have any control or any idea of CDBG dollars from prior years that we know have not been spent? I know this is an example of some but is there more out there from prior years that we know have not been spent from the capital budget that could eventually be moved? Who controls it? Who watches over the CDBG dollars?

Dir. Downing:

The Block Grant Administration Section of my department monitors all the block grant expenditures so, the answer is yes, there are still outstanding contracts from prior years that are still being worked on. There are a great deal of funds that haven't been spent yet and what we do on a periodic basis is go back to each department and say, "How are you doing on all these contracts? Are any closed out? Do you have any balances that are not needed for the original intent? Can you release those funds so that we can reprogram them?" And that is what this represents.

Mr. Onorato:

Does Council get an updated list of these dollars that are not spent or do we only find out about them when we start to move the funds? I know in my office I have no idea what funds haven't been spent from prior years.

Dir. Downing:

On a monthly basis Council's budget staff receives a report that lists all the expenditures, what the remaining balances are so yes, you --

Mr. Onorato:

-- from prior years?

Dir. Downing:

Yes, for all the years of the Block Grant Program that are not closed out.

Mr. Onorato:

The other question, the way I understand the CDBG, there's a group of funds on the Mayor's side and a group of funds on Council's side. Do we have any idea where these funds are coming from, the original allocations?

Dir. Downing:

That is a portion of the overall budget that we used to refer to as Unspecified Local Option and at a certain point in time there was agreement about splitting the allocations, the original allocations. In terms of this particular legislation, the 1978, 1979, 1977 funds -- that agreement was --

Mr. Onorato:

-- I guess you can see where I'm going. I would like in the future if Council could possibly have some say or equal say or more say into how some of the funds that haven't been spent do get spent in the future. I feel that we have nine members here that are in contact with their communities. They know groups that may be very interested or need these kinds of funds and without having any say we're just sitting here and get the Mayor's request here and we either approve it or we don't approve it and I don't think it's right. I think it should be more of an equal partnership here. Can our Budget Office get us a list of funds not spent from prior years and how much?

Mr. Mascio:

You can't determine from that report whether or not a contract is dead, whether it's slow, whether it's held by litigation. There is a lot of factors involved. All we have is the numbers.

Mr. Onorato:

It's obvious that there's \$10,000.00 being transferred here that somebody has a bookkeeping system somewhere that we knew this \$10,000.00 wasn't spent and now we want to move it, so I would guess that we have good bookkeeping on other funds that haven't been spent and I would like to have a report by year, by dollar amounts not spent and what is the status if we're going to ask those people to spend it or we're going to ask them to send it back in. I don't know who has the power to do that but I would like to see a report.

The Chair:

Is there a response Ms. Downing to his request?

Dir. Downing:

We can give you an update on funds not spent. That is different than funds available to be reprogrammed because as I mentioned before there are many contracts that are still active so if we can give you what is -- I'm not sure what you are most interested in.

Mr. Onorato:

When do you determine that this money --

Mr. Ferlo:

-- when the Mayor needs money.

Mr. Onorato:

-- would not be spent and that you're going to redirect it. When does that decision happen?

Dir. Downing:

As I explained it, we try on a semiannual basis to ask the departments what is available for reprogramming and we are just at the end of this most recent request and we had a conversation about a month ago and in fact Council reallocated \$100,000.00 last week from the those reprogrammed funds. So you are involved in the process.

Mr. Onorato:

But do we get the report when you asked what funds are available for reallocation? The \$100,000.00 I remember. Do we get the response from that request that you gave? I do not know what is available for reclassification or refunding.

Dir. Downing:

We make a proposal on how to reuse those funds.

Mr. Onorato:

Meaning the Administration.

Dir. Downing:

Yes.

Mr. Onorato:

That is where I think the problem is. I think we have to know what the funds are even if we don't know if they are going

to be spent or not, I want to know what hasn't been spent and then maybe we can make our request from council to reallocate it if we think it should be moved. So I would like that report.

Mr. Cohen:

On that point, Director, I'm surprised that you haven't mentioned that I have asked you on Monday as a follow-up on this bill the very same question that Councilman Onorato is asking you today which is to give to Council, to me and to the rest of Council everything that is unspent in CDBG before January 1, 1990 is what I've asked and the reason I set that date is because everything after that point is 95 percent of those are still are current contracts.

You said to me that some of those are held up for legal issues and I asked you to put next to those the ones that are held up for legal issues. Are you working on that?

Dir. Downing:

Absolutely. My question to Councilman Onorato, I was trying to define whether he was asking for a subset of what you asked for because the whole thing is current contracts, contracts that are still open with dollar amounts and then there's another set that is available for reprogramming. But the report we are working on.

Mr. Cohen:

We need to know what it is. I agree with Mr. Onorato. The funds that these particular bills come from originally were from 1977. I realize they were reprogrammed in 1990 but nevertheless we are using 1977 funds here and that is a long time ago. So whatever has not been spent prior to January 1, 1990 we should have a report on what that is. Thank you.

(END OF COMMENTS)

PREPARED BY: MARY ANNE BRUSKA
STENOTYPE REPORTER

Mr. Onorato:

As you recall at last Wednesday's meeting, I was asking for information regarding CDBG money from prior years and how much is available and how we determine where it's going.

Jane Downing sent over a letter today with charts to all of us. I received mine at 2:01. One chart shows the unencumbered balances as of 4-30-92. The second chart shows projects to be reprogrammed. The only piece missing here, which I was informed might be hard to get at this point or at least for today, that is, are the projects from prior years where there is money that hasn't been spent but we don't know what the status is, meaning, will the monies be spent for that particular project or will they be reprogrammed.

I am not going to hold these bills but I would hope that we get that third piece relatively soon. And I would ask that Mike Perry send a letter down requesting that third piece.

This is money that Council and the Administration, the Mayor's Office, allocate to different groups so that I think that when we reprogram, that it should be a joint effort also.

I think there is a problem here with the system and I would like to know what kind of dollars we're talking about and where they go. I would like to have some input, meaning I as a Member of Council and this body.

Mr. Ferlo:

I'm going to vote for the bills today but I do think it raises anew the issue and we do have two new Members of Council who are of different minds and that is when and if there are monies freed up by their unencumbered fund balances that are made available or projects that are incomplete for whatever reason. I think, again, we need to develop a consensus on

Council that it takes two to tango and if there's a redirection of those dollars, the Administration and Council together should decide what those priorities are going to be. I keep fighting and advocating for that policy and hopefully with the new members we'll have a majority and vote on that in the future.

Michelle Madoff:

As you know, when the issue came up I suggested that perhaps McArdle Roadway ought to be one of the priorities to be used for some of these dollars. My secretary had a letter that I had written, that Mr. Perry had written to the Engineering Department and there was an attached letter giving an outline of what was to be done in the Spring of '91 about the sewers collapsing and about all the problems of the wall and the shoring up. I thought, "Oh, here it is, the answer from Engineering and Construction, from Alex Sciulli." It turned out it was a '91 letter. I still don't have the answer.

I guess when you said is there any Old Business, I may have raised it under that, but this is a good time to raise it, the fact that the monies could be spent and I would appreciate it greatly if you would send the second request for an answer to the letter because we still don't know the answer, but I do have the '91 response which in detail outlines that it was a disaster, something needed to be done. Here we are approaching the summer, the building season, certainly the Spring of '92 and I don't know what's happening there. I know something is on the agenda but what I do not know.

The Chair:

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Darkins	Mr. O'Connor
Mr. Ferio	Mr. Onorato
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8

NOES 1

(MR. RICCIARDI VOTING NO)

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 780

A Resolution entitled, "Resolution amending Resolution No. 1046 of 1976, as previously amended by Resolution No. 551 of 1971, Resolution Nos. 595 and 596 of 1978, Resolution No. 591 of 1979, Resolution No. 1418 of 1981, Resolution No. 151 of 1982, Resolution No. 104 of 1986, Resolution No. 704 of 1987, and by Resolution Nos. 141 and 1151 of 1990, entitled 'Providing for the filing of an application by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1977 Community Development Block Grant,' by decreasing a line item in City Council and adding reprogrammed funds to the Parks Department."

Which was read.

Also,

Bill No. 781

A Resolution entitled, "Resolution amending Section 10 of Resolution No. 79, effective March 7, 1989, as amended by Resolution No. 776 of 1989; by Resolution No. 874 of 1990 and by Resolution No. 1159 of 1991 entitled 'Providing for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1989 Community Development Block Grant Program' so as to decrease a line item in City Council and create a line item in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 782

A Resolution entitled, "Resolution amending Section 11 of Resolution No. 1549 of 1978, previously amended by Resolution Nos. 251, 317 and 649 of 1979, by Resolution Nos. 286 and 1192 of 1980, by Resolution No. 1203 of 1981, by Resolution Nos. 393 and 1013 of 1983, by Resolution No. 100 of 1986, by Resolution No. 677 of 1987, and by Resolution Nos. 140 and 1152 of 1990 entitled 'Providing for the filing of an application with the U.S. Department of Housing and Urban Development for a grant in connection with the 1979 Community Development Block Grant Program,' so as to reduce the allocation to City Council (-\$4,049.32) and create a line item in the Department of Parks and Recreation."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Ricciardi presented

Bill No. 884

Report of the Committee on Engineering and Construction for May 20, 1992 transmitting sundry resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 842

A Resolution entitled, "Resolution adopting Official Sewage Facilities Plan for Naomi's Garden Plan of Property."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass

finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. O'Connor:

I move that the Effective Date of Bill No. 842 be the date on which it is signed by the Mayor.

Mr. Ferlo seconded the motion.

WHICH MOTION PREVAILED.

MOTIONS AND RESOLUTIONS

Michelle Madoff:

I think it would be appropriate to report to Council on the meeting that I attended, as did Duane Darkins, in Orlando. The Conference On Livable Cities. The best way I can summarize, the bottom line is that Pittsburgh is light years behind the progressive cities.

We brought back a book that I will be happy to share with my colleagues, I brought a copy for the President of Council and gave one to Joe Mistick autographed by the author, David Osbourne. The book is titled, "Re-inventing

Government".

I want to give you some ideas of the kinds of things that were talked about which I think would just be some highlights, and Duane can add what he'd like. We also brought back tapes. But the tapes particularly of the Mayor of Orlando and of David Osbourne might be worth having a luncheon meeting where we have box lunches and we sit and listen to these tapes, they're about 20 minutes apiece, to give you an idea of how far behind Pittsburgh is with cities that are doing things that are light years ahead of ours.

I tried to make some notes. There were just so many things that happened that the tapes really cover a great deal more than the things that I could tell you very quickly.

The homeless, for example. They've erected a building, granted it is in a warm climate but there are times during the winter months here that it gets pretty cold there in the evening. They erected sort of a very simple building and they make meals available for seven cents a meal. Shelter and food for seven cents a meal. So, when they go to people, as they pointed out, if they went to people and said, "Would you give \$15 to help somebody who is an indigent have a place to sleep and eat?" people would say hey, I don't know, wait a minute. But when you say seven cents, who's going to say no?

They have joint venture programs which I have been talking about that I have been reading about in the New York Times and the Wall Street Journal which motivated me to go to this meeting. As you know, my daughter lives in Orlando and I was going to go for Mother's Day but I put my seeing her off and delayed it because this meeting was so important. For example, we're building a Public Safety Building on City-owned property. They built a City Hall on City-owned property. The same kind of value as Downtown. They put

out for bid two office towers adjoining their City Hall and they get money from the two builders, whoever won the bid from the builder, they get leasing money back for a period of time. That's also on the tapes. I think it's 17 years, please don't hold me to it, but they also get rent, a portion of the rent from everybody that rents the facility. At the end of I think it's 17 years, the properties revert back to the City. So, in lieu of raising taxes, there's money in the General Fund.

This is happening all over the country in progressive cities like Boston and elsewhere, where instead of keeping on taxing the public, you're going into the business world.

Let me give you an example. Jack, correct me. We have almost \$2 million in rentals a year that we rent from people in the City. If we did nothing but build two facilities and took our own people out of the \$2 million worth of rental, instead of paying \$2 million in rental, we put our Water Department and other facilities in one building. And the rent from the other building would pay the cost. It's such a simple, innovative, creative kind of thing to do.

They do a lot of privatization. All over the country they're going with private issues. When I say privatization, it is generating savings in almost every area of three to seven million dollars. That's something that we need to be looking into without hurting our employees.

One of the things they talk about is not firing people across the board. Instead of firing people and making them victims, what they do is they create programs that help people, and you don't need to fire your employees. Don't put the blame of bad government on the employees' backs, something that Gene Ricciardi has talked about a lot. Don't fire the employees. You really need to hear it first hand.

They give bonuses to directors who save

money each year and the bonus is based on how much you save and whether you do it better and less costly. They are creative programs.

One of the people who spoke in Toledo, they have police officers that go out in a 12 block area when they have foot policemen and they cover a 12 block area as a start up program going to every house and every business so that they get to know everybody.

I could go on and on. But I'm saying that these are issues that this Council has talked about over and over and over again that all the other communities who are progressive are doing and that we're not.

I might add that in talking with some of the bankers who are in the bond business and bonding people, Pennsylvania is the laughing stock and a black mark in this country. We have the worst rating, we have the worst perception of how we do our bond business. We do more negotiated bonds than anybody else and we're way above the basis point. Simply put, it means that hundreds of millions of dollars have been spent in Pennsylvania over the last ten years by tax payers and rate payers, people who pay their water bills or people who pay the debt service which is when we go out on bond.

The best analogy I can give to people who may not understand, because it's very complicated, is the issuer of the bond, your banker, and you wanted a mortgage and you wanted to pay six percent and they're charging you seven, and you could have gotten it for six because the City or the authority is indeed the bank loaning the money or getting that rate of money back from you at seven percent rather than at six percent. And when you talk about the difference between one point, you're talking about one hundred basis points and one basis point or three or four basis points can be as much as \$6 million. And if you multiply that by all the

authorities here that go out on bonds every year, negotiate it and put us under the gun and say you have 20 minutes to vote or we're going to lose this thing.

Mr. Ferlo said I talked against it but I vote for it. Of course I vote for it. You have ten minutes to vote or the City is going to lose \$3 million and I'm not going to let the City lose \$3 million.

My bill coming up tomorrow will talk about mandating what the State mandates that we must go to a competitive bid unless this Council decides not to, and that should be up front early on.

Very frankly, we need to hire, and we talked about this as a body, we've agreed to do it, Jack, and I talked about the wording of it, but we did find some people who were at this meeting who offer their service. They do not sell bonds, they're not in the business of selling bonds, they're not in the business of any sort. All they do is give advice.

Barbara Bisgaier who was here today was very confident. Her firm also sells bonds, even though they're advisors. We, for Council, need to have our own independent advisors. I think that is terribly, terribly important. Even if we find out that today's bond at 6.7 as we found out when we really got to the real questions, you buy the long term bond, and incidentally, that's worth about 9.5 percent to the Councilmembers if you buy that bond. It's a tax free bond.

We really have to start watching our dollars. We have to start doing what other cities are doing. I talked to some of the Mayors and the Business Managers of other cities and talked about negotiated and competitive bonds and they say of course they want negotiated. They want to take care of their friends who take care of them.

Again, I just touched on some of the high points. We brought the tapes back and we divided up the obligation. I bought the books. Duane bought the tapes. We only have one copy of the Mayor of Orlando's tape, maybe two, I'm not sure, of the Mayor and of David Osbourne. I would love every talk show to start playing them because people need to know how far behind we are in things. I'd like the newspapers, when they go back into business locally to start covering, listening to these tapes, and I think that anybody who would run for Mayor on these issues could only get elected.

The Chair:

Thank you, Councilwoman Madoff.

Mr. Ferlo:

I would suggest that Mr. Mistick could probably add a couple of other chapters to such a book on reinventing government. He does it every week. I'm sure Mr. Osbourne would appreciate a sequel to his book which I'm sure Mr. Mistick would easily respond to.

Mr. Darkins:

I do have the tapes of the Renewable American Community Conference.

I have to agree with Michelle that it was an interesting conference and we should listen to these tapes. It would be a great help to us.

I also would like to encourage my colleagues on Council that in the future when sessions or conferences of this nature come up, that you should really go. There's an old proverb that says that we can never see that which is in front of us because it's right here at home. You must venture out to gather knowledge and it would help the City of Pittsburgh, it would help our City Council. It's just amazing to see the

various Councilpeople, Presidents, Managers from large towns and cities from all over the world. We also had people there from Paris and the information that they shared with us was tangible.

So, I would encourage my colleagues to go in the future when these conferences come up. Shake loose what's holding you home and go and come back.

I must add that especially if you're going with Michelle, you will definitely have an enjoyable time. I found her to be an altogether, totally different person when she leaves the City of Pittsburgh. There was never a dull moment and she brought the joy out everywhere.

Michelle Madoff:

I might just add for the record, Mr. President, this is only the second conference I've gone to in 14 years. So, if anybody thinks I'm on junkets -- I usually don't go to these because mostly they're cigar-smoking, let's have fun things. This was really a phenomenal conference and if anybody in the media has any questions, please borrow the tape.

Mr. Ferlo:

On a couple of other issues unrelated to Orlando.

The Council in December passed an Ordinance which I submitted regarding parking meter zones. It specifically did three things; one, it eliminated the attempt by the Administration to ticket and enforce on-street parking meters until 9:00 p.m. in the evening, which we did not think was good public policy, especially as it relates to neighborhood business districts. That was enforced at the turn of the year in January. At the turn of the new year, the Administration, the Police Department parking meter enforces were

no longer able to write tickets past 6:00 p.m. in the evening. Unfortunately, throughout the City you still have signs that say "Enforced until 9:00 p.m.".

The second two aspects of that ordinance which Council, I believe, unanimously voted on, was allowing at least a minimum of two hour time in neighborhood business districts on-street as opposed to one hour, which had been the request of many merchants.

Thirdly, what else it did was to create a requirement that the Administration must submit to Council for public review and, as well, a public hearing by merchants commenting on it a parking meter zones master plan. We stated in the ordinance that they would have six months to come up with this plan.

The 6:00 p.m. enforcement began at the first of the year. The issue of the one hour versus two hours in the various parking meter areas in the neighborhood business districts was put on hold to some extent. The Parking Authority was in the process of surveying the neighborhood merchants in these various areas to see whether or not they wanted all or part of the one versus two hour time limit, legal allowable time on the meter.

All of that should feed into the third part of the ordinance which is the parking meter zones master plan. So, I'm asking Council to communicate to the Administration requesting the status of the parking meter zones master plan because we have to formally adopt it after a public hearing. There are some merchants who have indicated that they would like some meters to be one hour. Many of them want the two hours but I think all of it can culminate together in the zones master plan. So, I'm asking this in the form of a motion to communicate to the Administration the status of the parking meter zones master plan.

Mr. Cohen seconded the motion.

Which motion prevailed.

Secondly, Mr. Cohen and myself last week raised an issue regarding the Environmental Services. Mr. Cohen had pointed out, and he had a copy of the Release and Indemnity Form, the Solicitor did respond and I want to thank her because as far as I'm concerned I think it corrects the problem. A new letter and a new form will be mailed back out to the property owners with an important and substantial difference.

Basically, the new Release and Indemnity Form, this involves owners of multi-family dwellings where the City would go on the property to pick up the containers.

The new Indemnification Form basically adds the provision except such damages that result from the City's or its employees sole negligence. That was missing in the original form. There's a big difference between the initial form that was sent out by Environmental Services and this new form which I think is fair. If we're going on someone's property, we should not be responsible. I think we all remember the truck that traditionally has gone on the roof down on Craig Street that went crashing in the building. We should not be responsible for the condition of that person's building. But, clearly, where we go onto a property and we cause damage, we hit a brick wall, we tear up their pavement, what have you, I think it's reasonable to say that where there's clear negligence on the part of the City, we should be held responsible through the procedure that's been set up.

So, I for one am pleased with the response of the Solicitor and the Director and I think it's a much fairer resolution.

Mr. Cohen:

On the same issue. I received and read the memorandum from the Solicitor but I think I must have missed the last page or something because I didn't see the re-writing of the letter. Thank you, Councilman.

I'm still not convinced that this is necessary, that we need to make a central City service like garbage pick up conditional upon a release of liability. I thank Councilman Ferlo for giving this to me and I do see that it says it accepts the negligence of the City. But I'm still not convinced that we absolutely need this release and what I'd like to do is review it with Councilman Ferlo and with the Solicitor and see whether this needs to go forward.

Mr. Ferlo:

The ordinance right now and the standard practice for at least a decade has been for residential home owners. They bring the trash out to the curb and that was done for a lot of good reasons. Mr. Wagner, I'm sure, was here at the time and Michelle, but most of us were not here.

I support that policy. I think it's fair, it's reasonable, it's cost-effective, compensation costs, you name it. There's lots of good reasons why that makes sense. So, I think the same standard should apply for a multi-family residency or people that own property for investment purposes. They still have the option of bringing the garbage out to the curb line, just like residents. But where because of the nature of the container, the City must go onto that property, I don't think that we should have the extra burden of guaranteeing, except where in instances where we are liability for property or other personal damage. I don't think we should automatically assume all of that liability. They have the option, just like any other resident, to go to the curbs.

So, I think the Solicitor's response is adequate but I would be happy to follow up on this issue and meet with the parties involved.

Mr. Ricciardi:

Mr. Wagner, last week I was very concerned that a joint bond venture between the County and the City was in jeopardy because of another issue, the issue being the payment of the hotel tax, sharing the hotel tax between the County and the City. As everyone at this table realizes, the bond issuance would pay for three very important projects here in the City of Pittsburgh including the expansion of the Convention Center which would mean jobs, economic development, and also popularity for our City.

I must applaud and commend Mayor Masloff for her comments on today's radio station, one of our local stations, saying that she is separating the two issues and that she will move forward on the joint project with the County in issuing the bond which would pay for the three projects and deal with the hotel tax as another issue. I again must applaud her because she's putting personalities aside, the stumbling block with the County, and moving ahead and I thank her for that. I'm very excited about that bond reaching City Council for discussion.

Mr. Ferlo:

I'm personally not voting for any bond issue unless I can be given assurances that we are indeed going to receive the income that, as far as I'm concerned, that is our money. I mean, I don't know all the particulars about who signed this document or who didn't sign it or whether or not it did meet the legislative muster of being a formally adopted resolution.

But let's get to the real issue. I mean, we supported legislatively an increase in the hotel

tax on a presumption that the City of Pittsburgh, Monroeville, and other municipalities who have hotels within counties, and in this case Allegheny County, would indeed benefit from that windfall. That is our money. We disproportionately generate revenue from hotels in the City of Pittsburgh, the County collects it. Legislatively it should have been clearly mandated, which apparently it wasn't.

But aside from who said, he said, or who signed or who didn't sign or if they adopted it or didn't adopt it, that's our money. I want my money. The City of Pittsburgh deserves a reimbursement from the County at least proportionate to those hotels who generate the revenue. And it's for a dedicated purpose. It comes back for major expenditures, specifically for promotion and tourism and new construction, be it the Convention Center, the Cultural Trust proposal, the History Museum, or other things that we haven't even thought about yet.

So, regardless of who's on first or who's on second, that's our money and I don't think we should further indebt the City and go out on another bond issue until such time that we resolve whether or not we will receive this income which can offset the debt service. I think it's wrong to move expeditiously on that before we resolve this issue.

And as far as Tom Foerster, Commissioner, if you're listening, that's our money. Give us our money. You collect it. You're a collection agency. Don't be like the Sheriff of Nottingham. That's our money.

The Chair:

But let's not hold three projects in jeopardy as a result of that difference. These three projects must move forward and they must move forward in 1992. And a disagreement between the Mayor's Office and the

Commissioner's Office should not in any way restrict the potential of these three projects.

And I know this, if the Administration does not come forth with an innovative way to bypass the impasse that exists, I think Council should come up with a procedure by which we can proceed with those three projects.

Mr. Ferio:

My point is, we should be putting the right question out on the floor to be answered. The right question that Commissioner Foerster and the other -- by the way, we do have three Commissioners, I believe. Sometimes we forget that; sometimes they don't know it, but we do have three Commissioners. It takes three, but two can outrule the other one. So let's not let Mr. Dunn and the other guy, Mr. Flaherty, off the hook. They should be vocal and they should express their concerns on this issue.

I'm only saying that we should put the right question out on the table. Has Commissioner Foerster or Commissioner Flaherty or Commissioner Dunn commented on the basic merits of the issue? Are they opposed to the Cultural Trust Proposal? Are they opposed to the Convention Center? Are they opposed to the History Museum? No. So let's put the right question out on the table.

That's our money, they support the projects, this is a partnership. We should not be held accountable for the political biases or prejudices between the Mayor and Commissioner Foerster over the PAT strike or anything else. That's not the way we should be operating.

Mr. Ricciardi:

Mr. Wagner, I agree with your last statement but just to clarify my position for Mr.

Ferlo, I am not disagreeing or saying that we are not owed that money. As a matter of fact, I see Mayor Masloff has taken the advice of my colleague, Mr. Cohen, who said at the last Committee Meeting that if we run into a stumbling block here we might have to take this to court. And it appears we're going in that direction. But City government and County government must operate as a business. And in this case, just because we have a disagreement on one issue, we're not going to take it to task and let the City and County taxpayers, the City taxpayers being County taxpayers, suffer any longer because of one disagreement.

So, I'm saying, let's enter into an agreement for that bond issue, move ahead with these three projects, and deal with the other issue either through the court system or, as you have said, Mr. Wagner, through some type of mediation letting Council get involved. That's my position on this.

The Chair:

It must happen.

Mr. Cohen:

I agree with Councilman Ricciardi's statements. It's a sad state of affairs, Mr. President, when one side of government has to go to court against the other side of government. I made that suggestion only because all other tries failed and we had no other choice, I think. But it's a sad state of affairs right now where City government and County government cannot sit down and work together for projects that will benefit this region.

And at the time that there is in-fighting between City and County government, the City of Philadelphia is getting all the State money for their major projects. That's a sad state of affairs.

The Chair:

I just want to make it clear. There is not a division between this Council and County government. And I don't view us as having a division with County government, State government, or even the Mayor's Office except on issues.

Mr. Cohen:

I didn't mean to imply that, Mr. President. What I mean is between the Administration here and County government. There clearly is a split between those two.

The Chair:

But, consequently, where a void exists, I fully expect and believe that this Council can fill that void. And we will. And we have and we will continue to do that. We did that recently with Station Square and I believe on inter-governmental issues we can do it also.

Mr. Cohen:

I agree. I think that personalities need to be put aside to be able to work on these projects.

The Chair:

Thank you.

Mr. Cohen moved to approve the Minutes of Tuesday, May 5, 1992 and Tuesday, May 12, 1992.

Mr. Ferlo seconded the motion.

Which motion prevailed.

And on the motion of **Mr. Milliones**

Council adjourned.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

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No. 22

Municipal Record

ONE-HUNDRED TWENTY-SEVENTH COUNCIL

JACK WAGNER President
MICHAEL FERRY City Clerk
LINDA M. JOHNSON-WASLER.... Asst. City Clerk

Pittsburgh, PA
Tuesday, June 2, 1992

PRESENT:

MR. COHEN	MR. O'CONNOR
MR. DARKINS	MR. ONORATO
MR. FERLO	MR. RICCIARDI
MICHELLE MADOFF	MR. WAGNER
MR. MILLIONES	(Pres't)

The Meeting was opened by the recitation of the Pledge of Allegiance to the Flag of the United States of America, and a moment of silent prayer for peace throughout the world.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Michelle Madoff:

May I request that Barbara Ginsberg, Mike Neal, Kerry Stoner, Rob Zeller and Dan Fallon and whoever else is here please come forward?

I believe this is how many years now that we've been giving this resolution? This is about the sixth year. I was at somebody's house in Squirrel Hill when this was all conceived and really I remember the first year they raised more money than they ever thought they would.

This is a resolution that concerns a very important issue that just doesn't concern one segment of a community but all of us.

Michelle Madoff presents

No. 909 WHEREAS, the good health and vitality of all our citizens is of prime concern and summons our keenest attention; and

WHEREAS, Acquired Immune Deficiency Syndrome (AIDS) is a viral disease that cripples the immune system, leaving the person susceptible to illness the body can normally resist; and

WHEREAS, the disease is spreading throughout the world, and is an escalating health crisis in the United States; and

WHEREAS, health officials have declared AIDS as the single most serious threat to national health in this century, and estimate that over one million Americans now carry the virus that can lead to AIDS; and

WHEREAS, the Pittsburgh AIDS Task Force, founded in 1985, has become a vitally important community-based agency providing social, practical, and emotional support to persons living with AIDS and HIV infection in Allegheny County through a variety of volunteer support programs; and

WHEREAS, for the sixth consecutive year, the Pittsburgh Public Theatre will present a benefit performance, this year selecting "The Sum Of Us" directed by Marshall Mason, on behalf of the Pittsburgh AIDS Task Force on June 10.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby proclaim the week of June 7, 1992 as "AIDS Awareness Week" in the City of Pittsburgh and commends Co-Chairpersons Will and Patty Whetzel, Honorary Chairpersons Don and Leslie Brockett, and Kerry Stoner, and Executive Director Michael Neal, and the staff and volunteers of the Pittsburgh AIDS Task Force for seeking to inform the public about the AIDS crisis through a program of education, prevention and compassion.

Michelle Madoff moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

Michelle Madoff:

You know, it's one thing to talk about it but it's another thing to do something about it. I

don't know with the newspapers out of business whether everybody knows that I was in a little race at the Meadows. I raced in the celebrity race against John Cigna and a couple other people and I won \$1,500. I picked a charity and with great pleasure I'd like to present a check for \$1,500.

Speaker:

Good morning, everybody. This is definitely a surprise. Thank you very much.

On behalf of the Pittsburgh AIDS Task Force, I want to thank City Council for their support. The Task Force has tried to remain as visible as possible on this issue and will continue to be very visible. But it helps our efforts when the Public Theater gets involved, City Council gets involved. It helps us heighten the awareness of our community about this particular problem that we're dealing with throughout the world. It's particularly useful when an individual who has not yet been affected by this disease sees their public officials taking a vocal and aggressive stance when it comes to this problem. We appreciate it.

Councilwoman Madoff, we appreciate this also. Michelle, thank you very much.

Mr. Milliones:

Would the members of the Three Rivers Arts Festival group and the Ozanam folks come forward, please?

Members of Council, we hear so many negative stories about our inner-City youth and I think we do not pay enough attention to the positive things that are going on in our midst. I would, therefore, like to move the following resolution.

Mr. Milliones presents

No. 910 WHEREAS, the 1992 Three Rivers Arts Festival has had the privilege of sponsoring a unique educational program in the performing arts funded by the Pittsburgh Foundation/Howard Heinz Endowment Multi-Cultural Arts Initiative and a Matching Grant from the Pittsburgh National Bank Charitable Trust; and

WHEREAS, this program placed two outstanding Pittsburgh artists, Vernell Lillie of the Kuntu Repertory Theatre and Shona Sharif of the African-American and Dance Ensemble as artists in residence for 15 weeks at the Hill District's Ozanam Cultural Center; and

WHEREAS, these artists, with the assistance of Victoria Thomson Bey, George Jones and Ardener Taylor, successfully conducted weekly workshops for 27 young people ages 12-18 in African-American Drama and Dance and prepared them for two exciting performances at the 1992 Three Rivers Arts Festival on June 6th and 20th, entitled "From the Harlem Renaissance to the 1990s"; and

WHEREAS, this group of young performers called "Art Reach 92" is comprised of the following dancers: Cyrene Bey, Dionne Givner, Jahsee McDaniel, Andrea Collins, Janice Pollard, Shaunta Wright, Rana Snipe, Onaija Bryant, Isha Metz, Carlene Jenkins, Desiree Davis, Morgan Daniels, Bettina Lewis, Erica Bowens, and Anshe Sledge; and the dramatics group consists of Tiffany Jones, Tiffany Huff, Antoinette Wall, Taryn Hailstock, Motisola Callum, Mario Payne, Aja Moore, Nicholl McQuire, Lewann Carrington, Raheem Moore, Celeste Scott and Nathasha Martinez.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh recognizes and honors the students of

Art Reach '92 for their extraordinary dedication, professionalism, and performance commitment to one of Pittsburgh's most exciting cultural events.

Mr. Milliones moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. Milliones:

I'd like to have Ms. Shona Sharif say a word or two and I think one of the students has something to say.

Ms. Sharif:

On behalf of the youth of Three Rivers Arts Festival Outreach, they are proud, they are honored, and they're grateful that they were chosen to be a part of a program that enables them to experience the creative and positive experience of the African American culture.

Many of the children in this program were friends or familiar with the youth that passed on last week and because of the incident and their feeling that it's linked to the incident and the person, the parents of the Outreach Program, the staff of the Outreach Program, the people who are involved, Vicki Bey, Ardena Taylor, myself and Dr. Lillie, we dedicate and honor this program for Dimetria Holland.

In honor of the program, we would like Antoinette Wall to give a citation from the play.

Ms. Wall:

"We knew what motherhood meant. When your voice crackles like in Amazing Grace. And you made a melodic testament that gave us the direction to the days of innocence and

the nights of wisdom. And we knew what motherhood meant when your eyes, soft and serene, wrapped us up in a quilt with patches of more good love, patches of more good faith."

Ms. Sharif:

As you can see, a lot of these children did not have any experience in acting and dance, and they really appreciate the program and we hope that more of these programs can continue. Thank you very much.

Mr. Milliones:

We thank you also for what you are doing for our youth and we thank you, the youth, for your positive and active participation in your community. Thank you very much.

Michelle Madoff:

I think it's interesting if you were watching the Tony Awards, the African American led, and weren't you proud as I was?

Mr. Milliones:

Thank you very much.

Mr. Milliones presents

No. 911 WHEREAS, the late Catherine Smith, a former Pittsburgher who moved to Philadelphia with her late husband, Dr. J. Shephard Smith, missed her friends, requested that the Philadelphia Chapter sponsor a Pittsburgh Chapter of the Girl Friends. In November 1947, Pittsburgh became the first chapter to be accepted by the national organization in nine years; and

WHEREAS, the Steel City Chapter was installed by the late Anita Wheatley of Baltimore, Maryland, and National President, Dorothy

Bostic and Connie Cottrell of New York, Altia Picott of Richmond; and members of the sponsoring Chapter, Dorothy Tabourne Townes, Lucille Blondin, Frances Rainey, Elizabeth "Lits" Young and Ruth Jackson in a candlelight ceremony at the home of Mrs. Robert L. Vann; and

WHEREAS, the charter members of the Pittsburgh Chapter were: Billie Byrd Brown, First President, Toki S. Johnson, Vice President, Winnie Ormes Houston, Corresponding Secretary; Marie A. Robinson, Recording Secretary; Jerri M. Henry, Treasurer; Winnie T. Nickens, Marjorie J. Butler, Ethel Ramos Harris, Ruth H. King, Aileen S. Sawyer James, Berniece Utterback, Florence Byrd Duke, Hazel Downing, Toni Jones, Gladys Stanton, Marie Hamilton and Marjorie Harris; and

WHEREAS, in 1951, the Girl Friends increased its membership by inviting four prominent women to join: Hazel Garland, Dortha Mason, Alberta Williams and Agnes Stevenson. The Pittsburgh Chapter of Girl Friends added a new link to its national chain by sponsoring a chapter in Cleveland, Ohio; and

WHEREAS, the Pittsburgh Chapter of the Girl Friends has been extremely active within the organization and community, it sponsored three national Girl Friend meetings, hosted the National Executive Board Meeting in 1954 and 1973, and the Conclave in 1957. It has contributed thousands of dollars to a number of charities including \$5,000 to the African Heritage Room at the University of Pittsburgh, and provided financial support to the NAACP of which it has two lifetime memberships, and the United Negro College Fund.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh recognizes and honors the Pittsburgh Chapter of the Girl Friends for the excellent

leadership demonstrated that has allowed it to once again host the 1992 National Girl Friend meeting in our wonderful City, and its support to viable institutions and organizations serving the Pittsburgh area.

Mr. Milliones moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

The Chair:

Members of Council, we have one final resolution to be presented today and I'm honored to present it. I'd like to ask the members of the Beechview Presbyterian Church to please step forward to receive the resolution.

With us today are Reverend Carol Divens Roth and two Elders, Frank Grassel and Olga Plunkett. They are celebrating this weekend their 75th Anniversary of the Beechview Presbyterian Church.

The Chair presents

No. 912 WHEREAS, the Beechview Presbyterian Church had its origins in two churches in Beechview; one group, United Presbyterians, who held services at the old movie theater, and the other group who worshipped in the local nickelodeum; and

WHEREAS, the two Churches merged in 1937, deciding to use the Church built by the United Presbyterians at 1621 Broadway Avenue in 1917; and

WHEREAS, the new Church became known as Beechview United Presbyterian Church and became a member of Pittsburgh Presbytery; and

WHEREAS, the small Church is an integral part of the community and is now the home of many community groups such as Foodshare, Scouts, Alcoholics Anonymous, a youth group for junior highs, and the famous hard candy sale at Christmas with its spicy flavors and colors, where many members serve as volunteers; and

WHEREAS, the Church has a lively Sunday School for pre-schoolers through adults, a dedicated choir, Bible Study groups and an open door for all the friends of the Church; and

WHEREAS, the first pastor to serve the Church was the Reverend Frank Caughey and the Pastor now serving is the Reverend Carol Diven Roth; and

WHEREAS, on the weekend of June 5th through June 7th, the Beechview Presbyterian Church will celebrate its 75th Anniversary, beginning with a special dinner on Friday, June 5, 1992 and closing with a confirmation class on Pentecost Sunday, June 7, 1992.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby congratulates the Pastor, Elders and Members of the Beechview United Presbyterian Church on their 75th Anniversary.

Mr. Milliones moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

The Chair:

I'd also like to mention the other Elders who could not be with us today. We have a copy of the resolution for each of the Elders; Tom Filino, a former City employee in Building Inspection; Dave Long, Sue Pfiefer, Debbie

Plunkett and Linda Switzer.

I'd just like to add before I ask Reverend Roth to please say a few words about the celebration and the history of the Church, that they truly have done an outstanding job in outreach in the community. I know I have been to the Church many times where they have youth groups and youth group activities involved. They truly keep young people off the street and involved in some very worthwhile community activities, which is very important today in all communities in the City of Pittsburgh.

Reverend Roth, it's an honor to present this resolution. Would you please say a few words?

Reverend Roth:

We thank the City for this recognition because we value our relationship with the community. We don't look at ourselves as just the Beechview Presbyterian Church. We're a small congregation but through our interaction with all the other Churches and people in the community, we feel that we're able to reach to every corner of Beechview and other areas of the City as well.

Our members participate in programs like Foodshare, Meals On Wheels, and support Scouting, support youth groups, as has been said before. We're always looking for ways to meet the needs of the community. We can't do that alone; we do that in concert with other people of faith in the Beechview area.

We look forward, as we celebrate our 75th anniversary, to entering another century of witness and service in Beechview and in the City and also reaching out to the whole world community. Thank you.

The Chair presents

No. 913 WHEREAS, the Carnegie Library of Pittsburgh's Beechview Branch was opened in June, 1967 at 1910 Broadway Avenue; and

WHEREAS, the Beechview Branch of the Carnegie Library replaced a City Bookmobile and today provides approximately 38,000 volumes for adults and children; and

WHEREAS, the Library also offers a multipurpose room which is available for community meetings, story hours, craft classes and educational film programs; and

WHEREAS, throughout the years, the Library has been maintained by the City of Pittsburgh and Allegheny County, with supplemental appropriations from the State, and is free of charge to all City and County residents; and

WHEREAS, on June 4, 1992, the Carnegie Library of Pittsburgh, Beechview Branch, will celebrate its 25th Anniversary with an open house which will feature guest speakers and refreshments.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby congratulates the staff and patrons of the Beechview Branch of the Carnegie Library of Pittsburgh on their 25th Anniversary.

Mr. Milliones moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. Cohen presented

No. 893 Resolution authorizing the City

of Pittsburgh to place certain traffic signs at the intersections of Dithridge and Henry Streets, Dithridge and Filmore Streets, Neville and Henry Streets, Neville and Winthrop Streets, Neville and Filmore Streets, and Neville Street and Fifth Avenue in the 4th Ward. ---**(SPONSORED BY MR. COHEN)**

Which was read and referred to the Committee on Engineering and Construction.

Mr. Cohen moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Also,

No. 894 Resolution authorizing the submission of Enterprise Zone Applications with the Commonwealth of Pennsylvania Department of Community Affairs for financial assistance for 1992.

Also,

No. 895 Resolution providing for an Agreement or Agreements with East Liberty Development, Inc., for the implementation of Enterprise Zone activities in the East Liberty Enterprise Zone, at a cost not to exceed \$100,000.00.

Which were read and referred to the Committee on Planning, Housing and Development.

Mr. Darkins presented

No. 896 Resolution transferring the amount of Four Hundred Forty Thousand

(\$440,000.00) Dollars from Code Account 1545, Street Lighting, Index Code 154500 to Code Account 1608, Salaries and Wages, Index Code 160804, both accounts within the Department of Public Works.

Which was read and referred to the Committee on Finance.

Mr. Darkins moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Ferlo presented

No. 897 An Ordinance amending the Pittsburgh Code, Title Five - Traffic, Article VII - General Parking Regulations, Chapter 543 - Parking Meters and Chapter 545 - Off-Street Parking by eliminating discount periods and increasing the penalty. ---**(SPONSORED BY MR. FERLO)**

Also,

No. 898 Resolution amending and supplementing Resolution No. 13, approved January 28, 1992 entitled, "Establishing the Retirees Additional Benefits Trust Fund (RABTF) and certain funding and disbursement guidelines for such trust fund and authorizing and directing the appropriate City Officials to carry out such guidelines." by making certain additions. ---**(SPONSORED BY MR. FERLO)**

Which were read and referred to the Committee on Finance.

Mr. O'Connor presented

No. 899 Resolution authorizing the City Controller to transfer \$25,000 from the Aviary Rehabilitation Account and \$172,631 from the Aviary Trust Fund Transfer Account to the Aviary Trust Fund.

Which was read and referred to the Committee on Finance.

Also,

No. 900 Resolution authorizing and directing the Mayor and the Director of Parks and Recreation to enter into a Lease and Agreement with Save the Aviary, Inc. in connection with the taking over of the Aviary operations by Save the Aviary, Inc. and payment by the City to Save the Aviary, Inc.

Which was read and referred to the Committee on Parks and Recreation.

Mr. Ricciardi presented

No. 901 Resolution providing for a warrant in favor of Public Strategies, Inc. in the amount of \$1,600.00 in payment for professional consulting services rendered to Councilman Gene Ricciardi for the month of June, 1992, chargeable to and payable from CA 1001-2, City Council, District 3. —(SPONSORED BY MR. RICCIARDI)

Which was read and referred to the Committee on Finance.

Also,

No. 902 Resolution adopting Official Sewage Facilities Plan for the Allegheny City Square located at the intersection of Western Avenue and Brighton Road in the 21st Ward of the City of Pittsburgh.

Which was read and referred to the Committee on Engineering and Construction.

The Chair presented

No. 903 Communication from Ben Hayllar, Director, Department of Finance, submitting a report of deposits and the market value of securities pledged as collateral by City Depositories as of April 30, 1992.

Which was read, received and filed.

UNFINISHED BUSINESS

The Chair presents

No. 860 Resolution appointing Brother Richard Emenecker, 4720 5th Avenue, Pittsburgh, Pennsylvania 15213, as the Director of the Department of General Services. Such appointment is to be effective on or about June 1, 1992.

Which was read.

Michelle Madoff moved to approve the appointment of Brother Emenecker.

Mr. Ricciardi seconded the motion.

Michelle Madoff:

I'd like my comments brought forward.

The Chair:

Mine also, please.

Michelle Madoff:

Why don't we bring everybody's forward?

The Chair:

Okay. All of Council's comments
brought forward, please.

(REMARKS ON FOLLOWING PAGES)

(CITY COUNCIL'S INTERVIEW OF BROTHER RICHARD EMENECKER)
(Wednesday, May 27, 1992)

Mr. Ricciardi:

Thank you, Mr. Milliones. Good morning, Brother Richard. Congratulations on your nomination.

Brother Richard, obviously as a director you will be carrying out the policies of Mayor Masloff and I understand that, but at the same time I would think that you would also set your own priorities within the department.

It is my understanding over the last two weeks that you have had an opportunity to meet and better understand the department. After reviewing the operations, are there certain priorities that you are interested in for the Department of General Services?

Bro. Emenecker:

You are correct in that the last two weeks I have reviewed a lot of material prepared by the assistant directors and I have had meetings with the assistant director and with the current director, Lou DiNardo. I think it would be premature for me to say, "Here are the priorities that I would set," because I asked for briefing papers, and it didn't get into a lot of the detail.

However, I also reviewed in detail the 1988 Controller's Office Audit Report, which was fairly lengthy, and what I didn't have the opportunity to do, since I reviewed that over the weekend, was to find out exactly which of those recommendations have been implemented and which ones are still pending.

So it seems to me one of the first things I want to do is to look at that in greater detail to help formulate the policies and the goals for the next period of time. I think that the Auditors Report clearly pointed out that the General Services Department is functioning, but there are some areas that with a little bit of time, effort and maybe even financial resources, it could be made a bit more efficient, and that is what I would like to do.

Mr. Ricciardi:

I am very impressed and pleased that you would review the Controller's Audit, because I think at times the Controller's Office does come through with some good ideas and, unfortunately, it is just pushed aside for political reasons.

Have you had an opportunity to look at the leasing arrangements the City of Pittsburgh has in leasing outside properties at all?

Bro. Emenecker:

Not in detail, other than there have been some changes for,

as you know, Gateway View Plaza moving back over here and some recent leases have been negotiated by Lou DiNardo at a much better rate than they were able to get, say, a year ago. So I am going to take a look at that with an awful lot of input from Pete Wagner, the Assistant Director in charge of Facilities Management. Again, look at it, get as much information as possible, and then work with Council and work with the Mayor's Office to make sure we are getting the best deal for the dollar.

Mr. Ricciardi:

As you know, Brother Richard, as the Director of General Services you will also be in charge of administrating Mayor Masloff's MBE/WBE program, which I believe is running very successfully under the leadership of Mr. Jeff Thomas. Have you had an opportunity to review the Executive Order, and what your feelings are concerning the minority and women business enterprises?

Bro. Emenecker:

Unfortunately, that was the one area which I was not able to meet with Jeff Thomas on. But I wanted to assure Council that we are and we will continue to be committed to the Mayor's Executive Order. Again, I want to look at all the details over the last two year period of time and find out where that can be improved. There is probably always room for improvement, and maybe with a fresh look at it, a new set of eyes looking at it, we can improve that.

Mr. Ricciardi:

Brother Richard, the Cable Bureau, will that be incorporated under General Services or stay within the Public Works Department?

Bro. Emenecker:

The way we are looking at doing it is it will stay structurally within the Public Works Department for the remainder of '92 simply for budgetary purposes. But from an administrative and policy making standpoint, it would be administered by the General Services Director. Then we will look at a structural change for '93.

Mr. Ricciardi:

My last question, and some of my colleagues might believe it is a painful question, but I don't think it is, it has been brought up at this table in the past by Councilman Ferlo. A few weeks ago I had an opportunity to tour your facility with a few of my colleagues, and as you know, Brother Richard, as the

Director of General Services, you would be the head purchasing person for the entire City of Pittsburgh. So I think it is important in order to "interview," quote, for this position, that we would have to see your past practices within a public agency, which I consider the Cable Bureau.

I noticed that through the Cable Bureau you had an opportunity to purchase a number of oil paintings, vases, sculptures, and I would just like to ask in your role as an administrator of that program what your general feeling was for spending public dollars in that way and what the reasoning was for it.

Bro. Emenecker:

Let me clarify it, because that issue has come up before, and I think I have answered it before. I am not sure the answer has been an acceptable answer, but I have given a response.

There is a unique function of the Cable Bureau, and that is television production, television program, which is a combination of electronic equipment, hopefully the best quality we can get for the money, also the best talent, and some of that talent is in-house, some we go out and buy that talent on a temporary basis. Also, when you are working with a visual medium, you have to be sensitive to the entire picture on the screen. All of the items that we purchased are used for set accessories. Because of the monthly nature of each of our City Life Programs, Public Safety Forum, Art Works -- which, by the way, are all national award winning programs repeatedly over the last eight years -- that you have to change that background. That is what those items are used for.

Mr. Ricciardi:

What percentage of those items made the set? Because as you know, the paintings start from the first floor and come all the way up to the fifth floor in a lot of the offices.

Bro. Emenecker:

Right. They are all catalogued, storage is at a very tight premium.

Mr. Ricciardi:

What percentage of those items have made the set?

Bro. Emenecker:

I have to take a guess on that because it doesn't seem to me to be something that I would want to put the administrative time in tracking. But at this point, 75 to 80 percent of those items to date have been used and used repeatedly. We have the

video tapes, I can obviously go back and see the tapes, but when you are doing 12 City Life a year, 12 Public Forum, 12 Art Works, and those are repeated programs, and then within those you have segments and programs that you have to make the set look like it is a different location, so we have used most all of them.

Mr. Ricciardi:

I thank Mr. Milliones for letting me continue along those lines, because I think it is very important to see some of the past practices and how they will reflect as Director of General Services the person who is in charge of all purchasing.

I would think just to present a public safety issue we didn't need to overextend the set or overspend the set. I believe some of your practices in spending public dollars -- because they are public dollars, franchise dollars -- in my opinion were just inappropriate, Brother Richard.

But thank you very much for your answers.

Michelle Madoff:

Mr. Ricciardi, Brother Richard and I go to the same place to buy our paintings. I sold my good ones at auction a couple of years ago, and we buy rather inexpensive prints and lithographs at auction, and they are very reasonable. I don't think it has been a significant amount of the budget spent on that. The only reason I know is because I see him every time I to.

We did speak on the phone, I called you and was rather upset when I heard you were appointed or asked to take over the Department of General Services. I was concerned that you were being moved over to get you out of the way. I say that publicly what I said to you privately. That is true, is it not?

Bro. Emenecker:

That is what you brought up to me, yes. I don't know if it is true.

Michelle Madoff:

But I brought that up to you, and you assured me you were not leaving Cable, it was going to be incorporated, and I responded "Thank God." Although I have tremendous confidence in Lou, he has been a good friend and I think one of the most honorable, capable people, that I feel that you will continue the same vein of keeping our contracts truly competitive, like I wish the bond issues were. We will talk about that later.

But anyway, the major thing I am concerned about is the lowest bidder, responsible bidder, not somebody's relative gets it and we end up sitting, like we did on Craig street, for six

months with the whole sides of the street caving in.

The other thing I am concerned about is for years -- and I have been here a long time -- I have had three hearings now on minority contracts, three times with different directors. And every time the director comes in and says -- I won't mention the name -- but the director said, "I have only been here three months. I am so sorry. I was wrong. It is less than 1 percent of the minority contracts have been met." I think that certainly as a man of honor, that you will see that that changes and we meet our obligations now. That is one of the things I am concerned about; competitive bidding, all contracts will be truly picked on the best business and price for the city, and that we will meet our obligations at MBE

Bro. Emenecker:

I comment on that. I am in favor of the American free enterprise system and competition, and I think the city stands to benefit by an increase in that competition, so I look forward to doing whatever I can to increase that competition. That also probably will mean improving the efficiency of the system, so that you have to make it attractive for businesses to want to do business with the city. I have been here long enough to experience vendors calling and being very frustrated because the bills aren't paid, and I will be looking at that system to see if General Services can work in a way to improve that situation.

As far as minority and minority vendors, I think it is a matter of social justice and fairness, and I really do think that we are committed to the Mayor's Executive Order and I look forward to implementing it to the best of my ability.

Michelle Madoff:

Brother Richard, just expand for a moment on the payment problem. I don't know if my colleagues know, the new people, and I think they are intelligent enough to know because of their previous involvements in other things, but what happened traditionally in the city is because we don't pay the vendors on time, two things happen. First of all, the next time they come out to bid, we don't have anybody bidding, we will have one or two bidders. People will say, "I don't want to be bothered," or they have to go to the bank to borrow money to pay their own bills, so the next time they come around, there are only two bidders and they have raised the price. So we really lose out. I am glad you are aware of that. The other that happens, which is probably sadder than anything else, is that we end up negotiating, paying off the principal contractor, and the subs -- they are usually minorities -- don't get their money. That is really even a terrible situation.

So I would like you to look at some way that minority contractors get paid at the same time as the principal contractor and they don't sort of short shift the small guys.

This has been traditional in the years I have been here.

Mr. Darkins:

Brother Richard, again on the note of minorities, you said that you haven't had a chance to talk to Jeff Thomas, and I trust that you will as the new Director of General Services. I am concerned about it. To have such an operation as we have over there in General Services, it is not Mr. DiNardo who hasn't done a good job, he has, and I was glad that they brought Jeff Thomas on board. I just hope it won't be a thing of him being dormant. He needs some help over there. It has been upon me as the Secretary of the Parking Authority to -- already we have sat with our counsel and Jeff Thomas, because we are anticipating having him to monitor our contracts over at the Parking Authority. So what has to be done there is that he needs some help. This isn't giving the man a job and tying his hands. He only has a part time person over there and it is impossible with all the construction and contracts that are coming through the City of Pittsburgh, and he not be able to function in his right capacity. So I am asking for him, I am asking.

Now, we have had some problems with working relationships, but I am asking for him that we get some more people to help him over there, and then the city can move and the contracts and whatever is going along will flow and there won't be any interruptions. That is what I am asking for.

Bro. Emenecker:

I think we can respond to that, but I ask that I have the opportunity to look at it and look at it in detail and to talk at length with Jeff and find out what his needs are. I share your concerns with minority contractors, minority vendors.

Mr. Onorato:

Brother, first of all, thank you for calling my office last week. Unfortunately, we didn't hookup until today.

You brought up an interesting point, and that is trying to get companies that want to do business in the city. It is not only the payment problem that drives them away. My five months in office so far I had three vendors call me on three different bids that are very frustrated, thought they had the bid, lowest bid, found out there was a rebid and for whatever reason they weren't the lowest anymore, and they don't want to come back. One example is the recapping of tires. When you have the same company that gets a contract for 30 years, there is a problem. What I found out in investigating this is there are technical problems in the way we have the specifications of bids, that one company that has been here for 30 years might know exactly what they can cut out, put in, and not give a quote on because of the history of what is asked from the city that they need. Where a

new company coming in doesn't know that, puts a bid in and gives a price for it, and it puts them over the top. Something has to be done with the specifications to encourage other companies to come in and also give them a fair chance to put in a competitive bid. If we know, for example, that there is a certain kind of recap that never gets asked for, minimal, but yet is asked for in the specifications and somebody puts in a price and another company doesn't put any price and says zero because they know the history of the request, that is not fair. I think that the specifications have to be looked at.

Bro. Emenecker:

I intend to do that. I also would like to look at the opportunity to educate the potential vendors that would deal with the city. As you know, my background is in the field of education, and I am hoping to look at it from the standpoint of you can't expect vendors and businesses to understand the intricacies of doing business with the City of Pittsburgh if they have never done it before. As a user department dealing with General Services, and even though you speak to vendors and say, "You must sign, date it, sign here, respond this way, in a sealed envelope," whatever, they sometimes make mistakes which will disqualify them. My goal would be to make sure that they understand what the parameters are so they can compete and compete fairly. So I will look at all that.

Mr. Onorato:

It is not just a technical problem, but I thought what was very interesting, there was a list of ten items they had to bid on, different types of tires, and the company that received the bid, had the lowest bid, had actually a zero on some of the lines, where the other companies put dollars on what it would cost to do. The reason the company put zero is they have had this contract for over 20 or 30 years, they know the city never asks for these. So you are not playing on an even field. If we really want to have competitive bidding, everyone should know the history of each line.

Bro. Emenecker:

I thank you for that insight. I will take a specific look at that. I will deal with Dale Perrett who handles the fleet management so we can see if it can be sharpened up.

Mr. Cohen:

Congratulations, Brother Richard, on your nomination. You and I have worked together on several issues involving the cable industry usually with respect to TCI. I admire your grasp of the issues and professionalism, so I congratulate you on your

nomination.

Councilman Onorato really hit the first question that I had. I really only have two. I just want to follow up with it briefly.

What I hear you saying is that you will review the whole process of bidding and specifications to try to open it up more, because I agree wholeheartedly with what the Councilman just said, that it needs to be opened up and that specifications need to be looked at to avoid bias.

Is that what I hear from you?

Bro. Emenecker:

Yes, that is what you hear and what you are going to get. Now, as you know, it is a combination of working within the law and working with the Law Department and what you can require and not require, so that I don't want to lead you to believe that the Director of General Services has the power and authority to just change everything. There are constraints that we have to work under.

However, I am going to look at it and make sure that we are getting the best bang for the buck and increasing competition in the city and increasing the desire of businesses to do business with us. But that is what you are going to get.

Mr. Cohen:

Okay. I think inertia is probably the biggest force in city government, and I think that applies in General Services just like every other department where we have contracts going to the same vendors all the time. I am not talking about abuse or corruption or anything like that, but inertia I think is what makes it happen.

Bro. Emenecker:

It is comfortable, easier to just do business with the same people all the time. You set up a working relationship. But if it is costing more money or just not a fair process, then I think it has to be changed.

Mr. Cohen:

Let me ask you a question about the Cable Bureau, because I didn't quite understand your answer to Councilman Ricciardi.

What you said was that the personnel and the bureau will remain in the Public Works budget for 1992, but that policy and administration of the Cable Bureau in 1992 will be handled through General Services. I assume that means by you?

Bro. Emenecker:

That is correct. The TV Utilization Manager and Manager of Administration and Regulation will report directly to me. We think that is doable, very doable, and I have worked at building up a team of people on the ninth floor that it will work.

If I can add one other thing in terms of the budget, the financing of the Cable Bureau will continue to be out of the Cable Trust Fund so that none of the expenses come out of the General Fund, there wouldn't be any change in that, and even in the future there won't be any expenses coming out of the General Fund.

Mr. Cohen:

I understand. Good. If it was otherwise, we would have a real problem.

Do you foresee in '93 -- I realize this is the Mayor's decision -- but have they told you that in '93 and subsequent years that there will be a new Cable Director appointed? Are you grooming somebody for that?

Bro. Emenecker:

We are going to look at that and see what makes sense for the future. I have developed an expertise and understanding in the field of telecommunications and the field of cable. I am very much aware of how the industry is changing and moving, and I wanted to be in a position to be able to continue to lend that expertise to the city. The Mayor asked me to take on a larger arena, a larger obligation. I have said yes to that. At this point, I believe that I can continue to do Cable and General Services, just simply because of the positive functioning of the Cable Bureau over the years and the staff that we have built up there now.

Mr. Cohen:

Let me end with this, because I know we have a big agenda today and other people want to ask questions. But I question whether you, despite your talents, are able to do both, be the Director of General Services and the Director of the Cable Bureau, even if it is just policy matters. I think that with TCI out there, in my view, always trying to raise rates and scramble channels and everything else, that we need somebody who at least knows what is going on there. You have done that, and done that quite well. But I really question whether you will be able to educate yourself on an entire department and make appropriate changes in that department and at the same time keep a close watch in the Cable Bureau. So I think that you should be grooming somebody to take over that position.

Bro. Emenecker:

We will look at that.

Mr. Wagner:

Brother Richard, congratulations on your nomination. I have a few questions. I am going to follow-up on my colleagues first on vendors and contractors that are bidding with the city.

All of us have had all types of complaints over the years, and what I would ask you to do is to personally take a look at the process, analyze the process and to talk to some of the vendors that have had disappointments with the city, for you personally to get involved and to listen to some of their concerns and some of their ideas, and possibly even put together a committee of people from the private enterprise that could analyze our process and come up with recommendations for improvement. I am offering that as a suggestion to you, and I would like you to analyze that suggestion and let us know at some time in the future if it is the appropriate way to proceed or if improvements in terms of streamlining the process can simply be made without outside influence. However, I always think that outside input is a positive, because you are dealing with people dealing with the real world.

Bro. Emenecker:

I agree and I think we can follow-up on your suggestion.

Mr. Wagner:

Again, I will follow-up on one of my colleague's points, I believe it was Councilman Ricciardi, on the leasing of various buildings. I would like you to look at that. There are tremendous economic advantages for us to consolidate our various city departments within city owned facilities. No. 1, it cost the taxpayers less dollars I believe, and No. 2, I believe it streamlines or makes government, the bureaucracy of government, much easier for the public to understand, rather than us having a Water Department on Smithfield Street and a CIS Department on Seventh Street and a Public Safety Department across the river. If we can consolidate in our public buildings in one central area, certainly the public has a better understanding of where they must go when they have concerns about government.

Bro. Emenecker:

I comment on that. I share your concerns. When I started with the city 14 years ago, I don't know, maybe I was naive then, but it just seemed simpler and it seemed more consolidated. Now you have to have a road map to figure out where you go to get a city service and where you go. I know in

Gateway View Plaza we did a program about which door to enter for which service you want. It was kind of funny watching that videotape, because who is going to remember which door to enter for which service? Now it is getting better because most of them are coming back across the river and they will be concentrated here. But yes, I think 14 years later it is not simpler than it was and it seems to me that it should be. So I will look at that.

Mr. Wagner:

Thank you. A couple other quick items. A particular concern that has been voiced at this Council is the entrance into this building. We know this is a joint City/County Building. There have been some minor improvements made, but we think some additional improvements can be made to simply enhance the general looks, some of the artifacts at the entrance. And as Director of General Services, we would like you to take a look at that. There has been a cleaning of the Caliguirri Statue at the entrance, but there are four or five additional plaques of which you can't even read or do you see. I would like you to take a look at that, and hopefully jointly with the county some improvements can be made there.

Bro. Emenecker:

I probably will go out on a limb on this one. Ideally for 14 years I have been walking in this building and I would say to myself, "Gee, wouldn't the entrance of this building look terrific if we can just wash down the walls on the first floor," because there are a couple spots where they tried various chemicals or whatever, and the marble is absolutely superb underneath that. But that is very expensive when you do it on an area the size of this building. So I would like to take that as a goal. Hopefully, that can be done and achieve a desire to at least have an open, warm welcome to the building when you walk in.

I think you are correct that improvements have been made over the recent past, and I look forward to seeing if we can continue that.

Mr. Wagner:

At the very least, put forth a proposal to the county in writing and suggest that they join in that proposal for improvements. I know the left side of the building on the first floor is all county occupied when you walk in and the right side is the city, so there does have to be some joint sharing here. But truly, we need to take the initiative to have a much easier entrance, friendlier entrance, less complicated entrance, better message board when you walk in the door.

Bro. Emenecker:

Better signage.

Mr. Wagner:

So the public truly understands and can get to the appropriate city department and county department that they need to access. I have always thought it was a little too complicated, but it needs joint City/County effort to achieve that goal.

A couple other final items here. Do you presently do performance appraisals with your people within the Bureau of Cable Communications?

Bro. Emenecker:

We do it, but not in writing.

Mr. Wagner:

We are behind the times in city government. I would strongly recommend that you initiate that. I believe there should be a policy that comes out from Personnel Department to all city departments that a uniform system of performance appraisals is implemented within the management team and with each individual worker in city government. We have not done that, we should be doing it, and I would suggest that you be innovative and implement such a program within General Services and the Bureau of Cable Communications.

Bro. Emenecker:

I think it is a good idea and a positive goal and we will look at seeing if we can work that out in the very near future.

Mr. Wagner:

I suspect you will be approved as the new Director, I will vote for you, I believe you can do a quality job. I would ask you to take some time the first few weeks to meet all the people individually within General Services Department, the actual mechanics doing the work on vehicles, people out there cleaning the buildings, the carpenters, plumbers, et cetera, to get out there and spend time to let them know that you not only are the new Director, but that you are accessible to them, that you want to understand their concerns as individual employees, and you want to hear their ideas as to how that department can be improved.

Bro. Emenecker:

I intend to do that. I think it is 225 employees without the Cable Bureau, with the Cable Bureau it is roughly 250 employees, but I think that is important to at least get to meet each of the individuals in that department. They have to feel a sense of connection with the administrative office structure of the General Services Department, especially since they were spread out, especially those over in the Strip District area.

Mr. Wagner:

Brother Richard, I think that is critical. We really need to let our people know that work for city government that the people running the department, elected officials, et cetera, et cetera, really are in touch with what they are doing and understand what they are doing. The only way we can properly manage is if we do understand. Thank you.

Mr. O'Connor:

Brother, I want to congratulate you on your nomination. I am sure you will make a very good Director.

I just toured with Councilmen Ricciardi and Onorato your facility in the cable station. I am very impressed, and I can tell you are a stickler for detail, which I think the city needs. I just feel a decline, especially as President Wagner has mentioned, in sanitation. Sanitation can slip I think since we have budget cuts, maybe it is an excuse and people start accepting it. I feel we are going to need your expertise and push to get us back on track. It doesn't take long for things to fall down.

I like the idea of simplification and consolidation. One of the biggest complaints we all get is, "I can't find this or do that." By going from 30 employees to 220, it will be quite a change. Again, as with President Wagner and I have done in business, our business was called MBO, management by objective, which I think as the city gets bigger and we have to start running it like a business, we will have to do, and I am sure with your educational background you will be able to do a very good job of putting things in writing and following it up.

Last, do you know the problem with why the city is so slow at paying? From what I gather, it isn't just a recent thing, but it has been going on a long time, so we can't use the excuse that our cash flow is tight.

Bro. Emenecker:

Well, after reading the Auditors Report in 1988, it just appears that a very large bureaucracy has arisen in that area, and it is decentralized to some degree where each department can, once the contract is in place, the department can order

directly off of that contract. So the invoice goes to the department, and then it goes from the department to General Services, and then it goes to the Controller's Office. So it can be slowed up anywhere along the line there; you have the individual user department, General Services and then the Controller's Office. The Auditors Report was saying it should be re-examined. They also had in there studies from several different cities to indicate that it can be re-examined, it can be streamlined. So I will take a closer look at that.

Mr. O'Connor:

You feel you will work well with the Controller's Office to streamline and get us more efficient?

Bro. Emenecker:

I think that is doable, yes.

Mr. O'Connor:

Jeff Thomas was brought up, and Councilman Ricciardi and I had a post agenda with him as far as minority hiring and minority suppliers, and I think where we are failing a lot of times, we might be hiring minority general contractors, but it doesn't always funnel down. I would like to get involved with it and I think Councilman Ricciardi, helping, again advertising and educating, how we can get more not only minority but city vendors to come on board. Again, I get a lot of complaints of, "Gee, why don't you tell us about these opportunities?" And again, educating them and maybe helping them go through the process, especially a small businessman, he has two problems; he doesn't know how to cut through all the paper work, plus if we don't pay him within 30 or 60 days, he is in trouble. The big guys can eat that probably, and even the big guys, if you are don't deal with the big guys, they will give you a much better price if it is 30 or 60, because the short the payment, the better the price. So I would really like you to attack that. Again, with your educational background, we have to educate the public in advertising.

Bro. Emenecker:

As I hear from each Councilmember, there are certain items and issues that each one of you are repeating as a concern of yours. The message is loud and clear and overwhelming. The best I can offer you is I am going to look at it with that weight of Council's concern and hopefully we can improve the situation. I just need a little time.

Mr. O'Connor:

One last comment. I think this Council is not only telling you the problem, I think we are also telling you we will be glad to work with you and give you any help in any way we can.

Bro. Emenecker:

Kind of a follow-up about the size going from 30 to 225, I have three assistant directors and they are knowledgeable in each of their areas and they have been there for a year or two years, and in one case more than that. I am going to rely very heavily on input from them and input from individual Councilmembers. I have kept an open door policy in the Cable Bureau, I intend to do the same thing in General Services. I look forward to the ideas. I don't have a pride of authorship in anything, so if there is a better idea that comes along and it merits being implemented, then I want to jump on board and go with that. So hopefully, we will keep this open dialogue. Call me.

Mr. O'Connor:

I wish you luck. Congratulations.

(END OF REMARKS)

(Transcribed by Helen L. Kriebel, Stenotype Reporter)

The Chair:

Is there any further discussion on the appointment?

And on the question, "Shall the appointment be approved?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Michelle Madoff	Mr. Ricciardi
Mr. Milliones	Mr. Wagner
	(Pres't)

AYES 8 NOES 1

(MR. FERLO VOTING NO)

And a majority of the votes of Council being in the affirmative, the appointment of Brother Richard Emenecker was approved.

Michelle Madoff:

We have not received any information as to the hiring of someone to direct the future of the Department of Aging. I had bumped into Reggie Young and he said they were doing it but it's like if we don't bother them they won't bother us. I would like to have a response to that and may I request that the City Clerk get us some information.

The Chair:

Please send a reminder letter, Mr. Perry.

Michelle Madoff:

And we'd like a deadline as to when we'll

have that person aboard.

REPORTS OF COMMITTEES

Mr. Milliones presented

Bill No. 904

Report of the Committee on Finance for May 27, 1992 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 827

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Public Strategies, Inc., One Bigelow Square, Suite 616, Pittsburgh, PA 15219, in the amount of \$1,000.00 in payment for professional consulting services rendered to Councilwoman Michelle Madoff for the month of May, 1992." --- (SPONSORED BY MICHELLE MADOFF)

Which was read.

Also,

Bill No. 833

A Resolution entitled, "Resolution providing for the issuance of a warrant in the aggregate sum of \$50,000.00 to-wit, \$12,500.00 for each named plaintiff, James R. Ramsey, Frances M. Butler, Wayne K. Joyce, and Kurt J. Fischer, c/o Thomas E. Fitzgerald, Esquire, their attorney, Lewis & Stockey, 1040 Fifth Avenue, Pittsburgh, PA 15219 in full and final settlement of alleged libel, slander, defamation and any other related claims."

Which was read.

The Chair:

I'd like my comments brought forward on
Bill No. 833, please.

(REMARKS ON FOLLOWING PAGES)

(MR. WAGNER'S REMARKS ON BILL NO. 833--Wednesday, 5/27/92)

Mr. Wagner:

Mr. Specter, I vividly recall this whole situation. I can recall the public hearing as if it was yesterday. The charges that were being made by a number of police officers with the reorganization that took place under the direction of then Director John Morton, who truly was the worst director that I am aware of in my short history in city government. Why are we not suggesting that these four officers -- of which I suspect I am referring to three because one is currently a detective -- are not reinstated as detectives within police? Let me state, all four of these officers were competent, well-qualified police officers.

Mr. Specter:

There are actually four involved in this case. Two of them are on workers' compensation and it does not appear they would be able to come back at this time.

Mr. Wagner:

If I am not mistaken, those two, their workers' compensation is related to emotional problems and not physical problems, and those emotional problems were related specifically to these charges?

Mr. Specter:

That is correct.

Mr. Wagner:

Why are we simply not suggesting reinstatement of these officers, rather than payment, as we are suggesting in the bill?

Mr. Specter:

Again, taking the two who are on workers' compensation -- and you are correct that the illnesses are allegedly related to these contentions and these transfers -- my understanding is they are not able to come back, that their condition is such that they could not function in the Bureau.

As to the other two, one of them, in fact, is a sergeant and essentially is at the same or higher level as he was when these transfers were affected six years ago. While he is not a detective, he has essentially realized the same benefits. The fourth one I have to tell you, I can't recall, that he is back, he is still on the force, I just can't recall what his position is right now.

I will tell you that reinstatement was discussed and they would not have accepted reinstatement solely as a means of terminating this lawsuit, they wanted money in addition. And it was generally I believe the position of the Department, Public Safety that is, that reinstatement was not appropriate at this time.

Mr. Wagner:

Well, I simply want to state for the record, No. 1, we are getting off easy in this situation, and I commend all of you in the Law Department for your pursuit of this. But I also think that we should have pursued reinstatement of the officers and placing them back in the Detective Bureau at the wage which they were receiving at the time of transfer. I felt that should have been done way back when and we would not be where we are today.

The fact still remains that two officers are on workers' compensation and the public needs to hear that workers' compensation is 100 percent pay of a police officer. We really don't have an insurance company, so we simply pay that workers' compensation benefit.

It is still within the best interest of this city for us to pursue total reinstatement of the four officers, if those four officers, No. 1, desire to be officers and, No. 2, are in a physical and mental condition such that they can perform the duties of the position.

So I would further recommend that to you and to Public Safety that we go one additional step beyond this, and in the process of doing that, we can put some more police officers back to work and take some people off the workers' compensation rolls. These people were good detectives, and I think all four could be working tomorrow as detectives within the Pittsburgh Public Safety Department Bureau of Police. So I would suggest that we pursue that.

I don't want to bring up other issues, but I said to the previous proposed director, Brother Richard, I talked about performance appraisals. If we had that in the Police Bureau, we would not be in the situation that we are in today. We did not have them back then, we still don't have them today. Because if you have performance appraisals, you don't remove detectives and make them beat officers or uniform officers without just reason to do that. That is what put us in the position that we are in here today to pay this \$50,000.00.

(END OF REMARKS)

(Transcribed by Helen L. Kriebel, Stenotype Reporter)

Also,

Bill No. 835

A Resolution entitled, "Resolution providing for the issuance of a \$18,225.37 warrant in favor of Edward Shook, Sr. for property damage."

Which was read.

Also,

Bill No. 836

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of the Holiday Inn Inner Harbor, 301 West Lombard Street, Baltimore, MD 21201-2596, in an amount not to exceed One Thousand Ninety-Two Dollars (\$1,092.00), in payment for overnight accommodations for the Senior Center Program in conjunction with an educational tour to Waxter Senior Center, Baltimore, Maryland on October 22/23, 1991 and providing for payment thereof."

Which was read.

Michelle Madoff:

Point of Order. I just want to make sure that everybody understands, the public listening, that the bill to Baltimore, which I forgot to mention, was monies that was given by PNB Bank and was obtained by Bill Urbanic of my office. It's just a transfer of dollars, we have to pay it from the City, but they did contribute the money.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 9

NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 837

A Resolution entitled, "Resolution transferring the aggregate amount of \$850,000.00 from various code accounts to Code Account SSFSP, (270256), Special Summer Food Service Program Trust Fund the amount of \$725,000.00 and to Code Account SPP (254359), Special Parks Programs the amount of \$125,000.00 in the Department of Parks and Recreation."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
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Mr. Darkins Mr. Onorato
Mr. Ferlo Mr. Ricciardi
Michelle Madoff Mr. Wagner
Mr. Millionses (Pres't)

AYES 9 NOES none

And a majority of the votes of Council
being in the affirmative, the bill passed finally.

Also,

Bill No. 843

A Resolution entitled, "Resolution providing for
the issuance of a warrant in favor of Penn Record
Systems, Inc. in the amount of \$999.98 for
labeling services for mechanical file system in the
Department of Engineering and Construction;
and providing for the payment thereof."

Which was read.

Also,

Bill No. 844

A Resolution entitled, "Resolution providing for
the issuance of a warrant in favor of Howard
Hanna in the amount of \$1,200.00 for the
appraisal of property located at 1811 Brownsville
Road, 29th Ward, City of Pittsburgh; and
providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass
finally?"

The ayes and noes were taken agreeably
to law, and were:

Ayes:

Mr. Cohen Mr. O'Connor
Mr. Darkins Mr. Onorato
Mr. Ferlo Mr. Ricciardi
Michelle Madoff Mr. Wagner
Mr. Millionses (Pres't)

AYES 9 NOES none

And there being two-thirds of the votes of
Council being in the affirmative, the bills passed
finally.

Mr. Darkins presented

Bill No. 905

Report of the Committee on Public Works for
May 27, 1992 transmitting sundry resolutions to
Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 822

A Resolution entitled, "Resolution providing for
a Contract or Contracts, or the use of existing
Contracts for the purchase of litter receptacles,
and providing for the payment of the cost
thereof."

Which was read.

Also,

Bill No. 823

A Resolution entitled, "Resolution providing for
a Contract or Contracts, or the use of existing
Contracts for the purchase of litter receptacles,

and providing for the payment of the cost thereof."

Which was read.

Michelle Madoff:

Mr. President and Members of Council, on Bills 822 and 823. I find it amazing that after over 12 years I find that there is a program in place where fast food chains or any responsible shop can put out its own litter can, which was my suggestion hundreds of times in this Council. They put on a discreet sign that says something like "McDonald's Keeps Pittsburgh Clean". McDonalds, Roy Rogers, Wendy's, Eat 'n Park, anybody, cares about Pittsburgh.

I was flabbergasted to find out that we have had some requests. So, my office took it upon itself with the help of Mary Beth from Mike's office and we are sending a letter, I believe it may have already gone, to every fast food chain telling them that it is available and encouraging them to help the City. It is outrageous that this is a source of revenue and a source of keeping the City clean that has not been marketed. So, my office is marketing it.

Also,

Bill No. 824

A Resolution entitled, "Resolution authorizing the Director of the Department of Public Works to grant an encroachment permit to John and Karen Tkach for a fence on a portion of the right of way of Leaside Drive in the 31st Ward, 4th Voting District of the City of Pittsburgh."

Which was read.

Also,

Bill No. 825

A Resolution entitled, "Resolution further amending Resolution No. 481, effective June 23, 1987, as amended by Resolution 558, effective June 5, 1990, entitled 'Authorizing the Department of Public Works to sell reclaimed asphalt, presently stored at Heth Run (located at the rear of the Zoo parking lot). Permission is requested to sell to the general public by the ton. All monies collected are to be deposited into the Asphalt Reimbursement Trust Fund, Index Code 250100,' by increasing the cost of the asphalt."

Which was read.

Also,

Bill No. 826

A Resolution entitled, "Resolution changing the name of an Unnamed Alley that intersects Crosby Avenue and runs parallel between Pauline and Palm Beach Avenues in the 19th Ward, 4th Voting District of the City of Pittsburgh."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen
Mr. Darkins
Mr. Ferlo
Michelle Madoff

Mr. O'Connor
Mr. Onorato
Mr. Ricciardi
Mr. Wagner

Mr. Milliones (Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Cohen presented

Bill No. 906

Report of the Committee on Planning, Housing and Development for May 27, 1992 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 818

A Resolution entitled, "Resolution further amending Resolution No. 1061, effective January 1, 1990, as amended, entitled 'Resolution adopting and approving the 1990 Capital Budget and the 1990 Community Development Block Grant Program; and approving the 1990 through 1995 Capital Improvement Program', by reducing a line item in URA 'NBDR Public Space Improvements' from \$250,000 to \$210,000 (NPA) and by creating a new line item in Engineering & Construction 'Trash Receptacles Program' (+ \$40,000) (NPA funds)."

Which was read.

Also,

Bill No. 819

A Resolution entitled, "Resolution authorizing the Mayor and the Director of Planning to enter into Agreements with Consultants for the

performance of project audits for capital projects funded by the Commonwealth through Strategy 21, at a cost not to exceed \$70,000.00."

Which was read.

Also,

Bill No. 820

A Resolution entitled, "Resolution amending Resolution No. 272, effective March 21, 1990, entitled 'Authorizing a 1990 Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh for the NBDR-Public Space Improvements and providing for the payment of the cost thereof, so as to reduce the amount of the Cooperation Agreement from \$250,000.00 to \$210,000.00."

Which was read.

Also,

Bill No. 821

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Homewood-Brushton Revitalization and Development Corporation for the sale of Parcel 2 in the 13th Ward of the City of Pittsburgh in Redevelopment Area No. 34 (COMMERCIAL CONSTRUCTION)."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. O'Connor presented

Bill No. 907

Report of the Committee on Parks and Recreation for May 27, 1992 transmitting one ordinance and two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 838

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Pittsburgh Board of Public Education for the purpose of providing meals in connection with the Summer Food Service Program in the Department of Parks and Recreation. The total cost shall not exceed \$610,000.00, and shall be chargeable to and payable from Code Account SSFSP (270256) Special Summer Food Service Program in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 839

A Resolution entitled, "Resolution providing for an Agreement or Agreements with United Way of Allegheny County for the purpose of providing professional services to the City of Pittsburgh. The total cost shall not exceed \$10,000.00, and shall be chargeable to and payable from Code Account SPP (254359) Special Parks Programs in the Department of Parks and Recreation.

Which was read.

Michelle Madoff:

On Bill No. 839, I'm a little confused. If somebody could help me as to why - Are we giving \$10,000 to United Way? The infamous United Way?

Mr. O'Connor:

Michelle, the United Way is going to monitor this program. They are going to give \$10,000 and we have two banks to give \$5,000 each, and there's someone else, for a total of \$40,000.

Michelle Madoff:

United Way is giving us \$10,000? We're not giving them \$10,000.

Mr. O'Connor:

It's all going into a fund.

Michelle Madoff:

Is United Way giving us \$10,000 or are we giving them \$10,000?

Mr. O'Connor:

Both, or neither.

Michelle Madoff:

Would somebody tell me, please, before I vote? I don't like to vote in a vacuum.

Mr. O'Connor:

There's a total of \$40,000 being contributed into a fund. The United Way is going to contribute \$10,000 into that fund. Parks is going to monitor it; this is for the Volunteer Program. We're going to use United Way's resources and we're going out and finding volunteers.

The money is not going to United Way, if that's your question.

Michelle Madoff:

You got it. But they're not giving us money.

Mr. O'Connor:

Yes. They are contributing \$10,000 to this program too.

Michelle Madoff:

I'm finally getting enlightened a little bit. Okay.

The Chair:

It's important to note that United Way of Allegheny County has had nothing to do with what has gone on at the national level. The organization that runs here locally is a high-quality organization and people should not hold against this local organization what has

happened nationally.

Michelle Madoff:

I'd like to respond, if I may. I have never given a dime to United Way locally and I am very generous with my charitable contributions, not just the ones I win but the ones I give out of my own pocket. I give to many worthwhile causes. I do not give to them because in all my years in the environmental movement, they didn't think that was important. I do not like the United Way.

The Chair:

The United Way has some great organizations.

Michelle Madoff:

They have to prove it to me.

Also,

Bill No. 840

An Ordinance entitled, "An Ordinance supplementing the Pittsburgh Code, Title Four, 'Public Places and Property', Article XI, 'Parks', Chapter 473, 'Use Regulations', by adding Section 473.08, 'Prohibition of Glass in Parks; Penalties; Enforcement; Signs; Definition.'"

Which was read.

The Chair:

■ there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Ricciardi presented

Bill No. 908

Report of the Committee on Engineering and Construction for May 27, 1992 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 845

A Resolution entitled, "Resolution providing for an Easement Agreement or Agreements with St. Margaret Memorial Hospital in connection with constructing and maintaining a fence on property owned by St. Margaret Memorial Hospital in the 12th Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 846

A Resolution entitled, "Resolution providing for an Agreement or Agreements, or use of existing Agreements, and/or Contract or Contracts, or use of existing Contracts, for the Design and

Construction of Various Walls, including but not limited to McArdle Roadway, Andover Street and Ledgesdale Street; and providing for the payment of the costs thereof." (AS AMENDED IN COMMITTEE)

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Milliones	Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

Michelle Madoff:

I'd like read a floor motion and then clarify it.

"Motion to appropriate funds in the amount not to exceed \$5,000 to hire a consultant" and it should say, "one time".

It may just cost us one thousand dollars, it may cost us two, to pay their fare for them to

come in to the City and educate Council on the basic rudiments of the subject of competitive versus negotiated bonds and what it means and the kind of savings the City can have.

This is not to hire somebody permanently because you're not going to get anybody for anywhere in that ballpark, but this is to just, as I said, educate us by somebody who is not in the City, who doesn't have a piece of the pie, doesn't want a piece of the pie, can't get a piece of the pie.

"The President of Council shall appoint a committee of three members to serve as a search committee to hire this consultant and this will be payable from Code Account 1001-1". That is the Council Fund that Mike Perry has.

The Chair:

Is that a motion?

Michelle Madoff:

Yes, that's my motion.

Mr. Millones seconded the motion.

The Chair:

May I ask in other words prior to voting on your bill —

Michelle Madoff:

I have nothing to do with my bill. I have amended my bill only to deal with GO's and it will also say that the Administration will have the prerogative of coming to this Council if they want to change to negotiated with cause. Cause, i.e. the Federal Government changes law, you've got two weeks; they have a good reason. But they do have their own financial advisor, they pay that person a lot of money, and that person should be able to advise them, to take them through the

mine fields so that they don't ever have to go to negotiated. But, if there is good cause, they can come to us and at that point we may decide if we like this person or someone else to have both consultants, theirs and ours, at the table so that we vote as an informed body, not as somebody voting in the dark.

This has nothing to do with the bond. This is to educate us.

The Chair:

Will you hold your bill until we get this opinion?

Michelle Madoff:

No. It has nothing to do with it.

I will share with Council that about a year and a half ago, one of the key members of the Administration wanted to become knowledgeable in the bond issues and I arranged for someone to have lunch and educate that person somewhat on what the issues are. When Michelle Madoff talks about bonds, somebody can say a little bit of knowledge does a lot of harm.

If we were to hold a public hearing, that has been a subject that has been raised here before, I will tell you that not one bond house will come because if they don't have the bond, they want it. They either have a piece of the pie, or they want a piece of the pie. They will not come. And those who will come will have a vested interest in giving the party line so that they will be included in the process.

We need an autonomous, somebody out of the area, somebody who doesn't sell bonds, is not in the business of buying or selling bonds, just in the business of advising and will be our advisor like the Administration has an advisor.

I will tell you, and I will say this on oath, that in almost every case that I have ever talked to, and I have talked to about four bond houses now - as a matter of fact, that's how I learned about it; someone approached me. They were the low bidder in the City and didn't get the bond. -- that there is never, ever a time that we should go to negotiated bonds. And I was told by the City that perhaps when we do a renegotiation of a large bond like \$190 million when we refinance City bonds, our whole debt service, or maybe an Airport bond because you have a big placement, but even the County people who deal with this tell me not even then is it necessary if they have an advisor. And the City has an advisor who could lead them through the mine field.

I'm saying, Council should not rely on the Administration. We should know what we're doing. This is to educate us.

Mr. Ferlo:

Mr. President, in the last four years I think I voted three times against bonds that were presented to Council that were negotiated and not competitively bid. So, I'm in favor of this because I think it will confirm what I have believed for some time, that we should not be engaging in negotiated bids. I think they should be competitive. If you look around the Country since the '60s, the newest form of political patronage for big cities is professional service contracts and I think we should expend the dollars to advise Council on this issue.

Mr. Ricciardi:

I wholeheartedly support Michelle Madoff's position and efforts and even wishes that City Council become better informed on bonds, competitive versus negotiated. So, obviously I'm going to support this. I think over the last year or two she has raised very many and

real issues.

The only question that I have, Mr. Wagner, and maybe Mr. Perry could also help us, should this be presented to us as a warrant or how is it being presented to us today? Is this an ordinance or a resolution?

Mr. Perry:

They can hire somebody. That's all this is.

Mr. Ricciardi:

Thank you.

The Chair:

And the allocation of the funds to do so.

Michelle Madoff:

I would like to also respectfully request that we do it by the end of this week, name the Committee. I'd like to be one of them. I'd like to be one of the three.

The Chair:

Would any other Councilmembers like to be part of that Committee? Councilman Ferlo? Councilman Ricciardi?

Michelle Madoff:

We could have four. There's no rule there has to be three. Perhaps the Finance Chairman would like to be part of it.

The Chair:

Why don't we put it this way. Whoever would like to sit on the Committee will sit on the Committee.

Michelle Madoff:

Except that we have to have a search committee immediately. The three would be the search committee. We're all going to be informed; it's a matter of who do you trust.

The Chair:

Is there any further comments on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Darkins	Mr. Onorato
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the motion was approved.

Michelle Madoff:

And you're going to appoint your committee by the end of the week so we can get working?

The Chair:

All Members of Council.

Michelle Madoff:

No, we can't have a search committee of all members. Unless you want me to be the search committee.

Mr. Onorato:

Mr. President, I have three quick points to bring forward. Number one, a lot of times we sit here on Council and we have disagreements with the Administration and we let that known here, sometimes really screaming and other times just a nice disagreement. But when they do things that we agree with I think we should recognize it.

The point that I want to bring up is Director DiNardo being appointed yesterday. He immediately told the Press that he would look into community policing. He even mentioned the possibility of satellite police offices throughout the districts, throughout our neighborhoods, and the plan will be developed.

I met with the Director for about 45 minutes yesterday. He informed me that he's looking for input. He wants me to work with him and the Administration, so I think this is a great step forward. I think Mayor Masloff had an excellent choice here and that the City will definitely benefit, especially with all the rumors we're hearing about along, hot summer in Pittsburgh. I think it's time to rethink and look at how we police and putting the police back into the neighborhoods.

The other point is about the Aviary legislation that was introduced today for taking the Aviary private or semi-private with a partnership with the City. I just want to congratulate the volunteers. As everyone here knows, it was only eight months ago when the Aviary was scheduled to be closed. We thought that the doors would be closed at this point. But these volunteers got together, they were meeting

every Friday. They formed Save The Aviary, Inc. and over an eight month period they negotiated an agreement with the City so that when July 1st comes, assuming everything goes okay in Council, it will be going private with private dollars. And to date there's already \$90,000 from private donations raised. So, I think they should be commended on that.

The final point, and I would hope my colleagues would support this, I would like Mike Perry to send a letter to the State Senate, all the Senators. Last week we had a press conference on the North Side, but it affects all the seniors in this area. It just happened to be on the North Side in front of a pharmacy. It was in favor of legislation for the PACE Program.

As many of you know, the PACE Program is for pharmaceutical purchases for the seniors and it's funded by the lottery. Right now, the costs are skyrocketing and there's a chance of bankruptcy if the lottery can't fund the purchases of the prescriptions.

So, the House came up with a plan supported by the seniors in the State where they would have to provide generic drugs first to lower the cost, and the seniors would have the option to ask for brand names and pay the difference from the generic and the brand name.

For some reason, the Senate decided to put an amendment to this bill. What the amendment would do is basically take out the generic language and let the pharmaceutical company step right in and continue to be subsidized with the dollars.

The point that the seniors worked on this bill and support it tells me a lot. If they're willing to sponsor a bill and recognize that they have to cut costs and accept generic and have the option to go with brand names out of their own pocket, I think it's only right that we support this. It doesn't

smell right. I think the pharmaceutical companies are putting on a heavy lobby with the Senate and I would like to show our support by sending a letter to the Senate to support the House Bill the way it was passed without the amendment.

Mr. Darkins seconded the motion.

Michelle Madoff:

I'm delighted that you brought this issue up. I apologize that my memory fails me on the name of the drug, but there is a drug that veterinarians have been giving to dogs for years and they sell it for, I'm going to take a guess, 50 cents a pill. They now found out that that same drug will help human beings for blood pressure or something, I'm not sure what it is, and now they want to raise pill to like \$5.00 a pill. It's ridiculous so you have to go to your vet to get the pill. It's outrageous and they're saying that the cost to them is for the research on human beings.

This is not a story that I'm making up. It has been in all the newspapers and I will get that information directly after we leave this Council.

Mr. Darkins:

Are you saying that we have to get a pill from a vetern, a dog pill? What are you saying?

Michelle Madoff:

I'll explain that later.

The Chair:

All those in favor of the motion?
Opposed?

WHICH MOTION PREVAILED.

Mr. Onorato:

Mike, I'll give you the details of the bill.

Michelle Madoff:

And I'll give you the details on the bill I'm talking about.

Mr. Ferlio:

I just really have sort of an editorial statement that involves the Pittsburgh Press.

In the four years that I have been in City Hall, we frequently continue to have situations in the past where the newspapers in particular will point to a given labor strike and there's usually the comment made about Pittsburgh being a union town and how unions and strike actions give the City a bad name.

I think the reverse is true in this instance. I think the Pittsburgh Press, as a corporation, is giving this City a bad name. I don't think they have bargained in good faith right from the beginning. I find it interesting that even their sister newspaper, the Cleveland Plain Dealer, which went through a similar reorganization, a fairly fundamental reorganization, did it through a collective bargaining process with the unions and that newspaper.

I think the reverse is true here. I don't see much difference between a traditional lockout and what has happened basically in the situation with the Press. One of my fears, although I always pick on John Craig and the Post Gazette, is that we're going to end up being a one-horse, one-newspaper town. I think that's part of the agenda of the Pittsburgh Press Company, to put the Post Gazette out of business. And I think it's a bad situation.

We've commented nicely in the past

because we wanted to come to the alliance of the newspaper boys and the boys and girls who are involved at that level distributing the newspapers. And certainly I think many of us are sympathetic to the plight of the teamsters and others. But independent of how you feel about the issue itself, I think if we really reflect on what is happening there, you know, I find it interesting that the Cleveland Plain Dealer is building a very expensive new plant, is talking fundamentally about reorganizing their production, and it will mean a loss of jobs. But all of it was done through bargaining in good faith initiative on the part of that newspaper.

So, I guess my editorial comment today basically is to chastise the Pittsburgh Press. Maybe the newspapers and the media should start talking about how corporations give this City a bad name and not just unions.

The Chair:

I'd like to add a comment there. I really sense that that strike is becoming bigger than the Press itself and the two parties involved, meaning labor and management. Certainly what is at risk here is this strike having a very negative impact on the economic vitality of this community. And I would hope that what we read in many editorials in the newspapers where management and labor sit down and honestly negotiate. The same would hold true here.

If this strike continues as it is doing right now, it is going to have a far greater impact on Pittsburgh and the region than the recent strike with the Port Authority, in that there is no way for businesses to advertise in the written media. I understand florists' business is down significantly in the community. But, even more so than that, and I am not afraid to make this kind of statement, I'm very concerned about the image of this region in that we have done a whole lot to build up labor management relationships, and it

may all decline immediately if this strike is a lengthy strike.

Consequently, I would urge both parties to sit down and openly and honestly negotiate with each other and come to some resolution as soon as possible.

Mr. O'Connor:

I would like to congratulate the Penguins on last night's outstanding victory. In case anybody with the newspaper strike doesn't know, I understand Thursday afternoon at the Stadium there's going to be a big rally at noon.

I hope next year the fourth game of the Stanley Cup will be in Pittsburgh so that maybe we can have the celebration here.

My next item. I'd like to thank all those for helping on the Be A Sport Program. We had an outstanding response. I thank all the contributors, especially the volunteers, the firemen and the rec leaders. We really did a lot of hard work and we're distributing the equipment right now. I was surprised not only did we get a lot of bats, balls and gloves, but we got a lot of golf sets. So, I think it will really help a lot of young people.

My third and last item also pertains to sports. I realize Council, since we're by district, we don't like to interfere with other Councilmen's areas, but I feel as Chairman of Parks and Recreation that I'm concerned about the pitching on the North Side.

Mr. Onorato:

That was a cheap shot.

Mr. O'Connor:

I feel if there's anymore ballgames to be

over on the North Side, especially with the Little League, the kids, if they need any first pitches thrown out that we should send a Relief Councilperson in to handle that job.

Mr. Onorato:

One final comment is that on the North Side we train them rough early. That's all I can say.

Mr. Ferlo:

Just so Mr. Onorato knows that we're self-insured.

Mr. Onorato:

I was serving in my capacity as a Councilman.

The Chair:

Does anybody have anything to add about the Penguins? A comment or two?

Mr. Ferlo:

It's a hell of a team.

The Chair:

I'd just like to add that many times in the past this Council has bit the bullet on very tough issues relating to the Civic Arena to keep the Penguins in Pittsburgh. I believe the public knows now why we in government are so concerned about keeping professional sports in Pittsburgh, because it truly does make us very proud when a team of this greatness is as successful as they have been.

I'd like to publicly compliment Howard Baldwin, Paul Martha, Craig Patrick, Scotty Bowman, Mike Lang, the Voice of the Penguins,

all the great players that they have, the fans that support them. And last, but certainly not least, Bob Johnson, the previous Coach of the Penguins that died less than a year ago and helped make this team a great team.

I'd also like to ask the City Clerk, with the support of all of you, to order a banner put across the front of the building congratulating the Penguins. I think we should do that and I think the community would be very proud if we did that.

Mr. Onorato seconded the motion.

Michelle Madoff:

We can even let the Administration pay for it.

WHICH MOTION PREVAILED.

Mr. Cohen:

I also want to congratulate them not only for the tremendous talents on the ice that they've shown this season, but also for some of the things that they've done off the ice. I personally have watched Tom Barrasso and Bryan Trottier talk to children in my district, and they're good. Many of them really care about the community and have done community services. So, not only are they talented on the ice, but off the ice, and I think we have a lot to be proud of.

Michelle Madoff:

On another subject. I'd like to share a little story that comes from the female perspective. I notice all of you fellows are really into sports and I'm very proud of what the team has done and it certainly generates a lot of revenue and I'm delighted.

But on a more personal, feminine note. A

friend of mine has a farm in Butler and he has Canadian Geese that fly in and land at his pond and for years one of the geese has sat on her nest, this is a true story, and has not had any of the eggs hatch.

So, I called Lindsey Clack and asked Lindsey if he could get me some Canadian fertile eggs. He did and my friend waded out to the island on his pond, almost drowned, and put these eggs out.

I want Lindsey to know that we now have four goslings and this goose who has never had any children now has children. And they were born on Mother's Day, the 10th.

So, I hope that Lindsey Clack will remain with the Aviary.

Mr. Ferlo moved the approve the Minutes of Tuesday, May 19, 1992.

Mr. Ricciardi seconded the motion.

Which motion prevailed.

Mr. Milliones moved to recess this meeting and meet tomorrow following the Standing Committees Meeting.

Mr. Ferlo seconded the motion.

Which motion prevailed.

And on the motion of **Mr. Milliones**

Council recessed.

Pittsburgh, PA
Wednesday, June 3, 1992

And the hour of recess having expired,
Council reconvened.

Mr. Milliones presented

Bill No. 914

Report of the Committee on Finance for June 3,
1992.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 869

A Resolution entitled, "Resolution authorizing the issuance of tax and revenue anticipation notes in the aggregate principal amount of \$25,000,000.00; providing for the date, interest rate, maturity date, place of payment in respect of the notes; accepting a proposal for the purchase of the notes; providing for the security of the notes; authorizing the proper officers to execute and deliver the notes; authorizing and directing the preparation, certification and filing of the proceedings with the Department of Community Affairs; appointing a paying agent, registrar and sinking fund depositary; creating a sinking fund;

approving a form of note; and repealing inconsistent resolutions.

Which was read.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen
Mr. Darkins
Mr. Ferlo
Mr. Milliones

Mr. O'Connor
Mr. Onorato
Mr. Ricciardi
Mr. Wagner
(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

And on the motion of Mr. Cohen

Council recessed.

